PART FOUR OF THE

DRINKING WATER BOARD PACKET

FOR THE MARCH 2, 2007 BOARD MEETING

DRINKING WATER BOARD
PACKET

MARCH 2, 2007

ST. GEORGE, UTAH

AGENDA

FOR THE

DRINKING WATER BOARD MEETING

OF

MARCH 2, 2007

State of Utah

Department of Environmental Quality

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF DRINKING WATER
Kenneth H. Bousfield, P.E.
Director

DRINKING WATER BOARD MEETING

March 2, 2007
1:30 p.m.
Place: Dixie Convention Center, Entrada Room
1835 Convention Center Drive
St. George, Utah 84770
Ken Bousfield's Cell Phone #: (80l) 674-2557

1. Call to Order – Chairman Erickson
2. Roll Call – Ken Bousfield
3. Introductions – Chairman Erickson
4. Approval of Minutes – January 12, 2007
5. Elections of Chairman and Vice Chairman
6. Mutual Aid Agreement (WARN – U) – Dale Pierson
7. SRF/Conservation Committee Report – Vice Chairman Myron Bateman
   1) Status Report – Ken Wilde
      a) Letter from the Attorney General
      b) Legislative Amendment
      c) Financial
   2) State SRF Applications
      a) Gunlock Special Service District - Withdrawn - Ken Wilde
      b) Wellington City – Ken Wilde
      c) Circleville City – Rich Peterson
      d) Escalante City – Rich Peterson
      e) Austin Special Service District – Karin Tatum
   3) Federal SRF Applications
      a) Leeds Domestic Water Users Association – Karin Tatum

8. Authorization to Proceed with Rule Adoption – R309-100 – Body Politic Rule Adoption – Ken Wilde

9. Authorization to Proceed with Rule Adoption – R309-100, 105, 110, 115, 200, 210, 215, 220, 225, 300, 400, and 405 – Federal Rule Adoption and Reorganization - Patti Fauver

10. Reauthorization of Rule Series R309-500 and R309-700 – Ken Wilde

11. Waterwatch of Utah – Lorna Rosenstein, Director, (801) 529-0589

12. Chairman's Report – Chairman Erickson

13. Directors Report
    a) The Town of Alta and the Salt Lake County Service Area # 3 Report
    b) Report on the Rural Water Conference

14. News Articles

15. Letters

16. Next Board Meeting – TENTATIVE SCHEDULE
    Date: May 11, 2007
    Tour: Mountain Regional SSD Tour
    Address: Summit County
    Time: 9:00 a.m.
    Lunch: Working on
    Board Meeting Place: Working on
    Address: Working on
    Time: 1:00 p.m.

17. Other

18. Adjourn

In compliance with the American Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Charlene Lamph, Office of Human Resources at (801) 536-4413, TDD (801) 536-4424, at least five working days prior to the scheduled meeting.

AGENDA ITEM 11

WATERWATCH OF UTAH – Lorna Rosenstein,
Director (801) 529-0589

Waterwatch of Utah©

Doing our best to keep the information flowing

Water Additives

H_2SiF_6 - Na_2SiF_6 - NaF

and

NSF Standard 60

March 2, 2007

Lorna Rosenstein, Director

Waterwatch of Utah

Waterwatchofutah@xmission.com

801-529-0589

H2SiF6, Na2SiF6, NaF- Risks and Liabilities

Chemical and Engineering News Aug 16, 2004 in discussing public water fluoridation stated, **"..Without a scientific culture that supports reexamination of "no risk" results, however strongly held, we may find our public health and environmental policies resting on weak or faulty foundations, which can prolong our blindness to preventable illnesses."**

Waterwatch of Utah researches various issues that impact Utah's water. A zoning tool and a commodity, uncontaminated water is Utah's most precious natural resource. Considering Utah's unique water system, the mandated addition of industrial fluoridation substances into public water supplies raises concerns that remain unaddressed.

It is both reasonable and rational to carefully evaluate the risks, the liabilities and the actual costs of this unfunded mandate.

- In 2006, the ADA issued a health advisory against the use of fluoridated water when reconstituting infant formula. As they cannot use food stamps to purchase either bottled water or ready-to-use formula, what agency is responsible for advising the low income family to avoid using fluoridated tap water when mixing infant formula?
- Are water districts indemnified against lawsuits by the identified sensitive subsets at risk?
- How will the addition of water fluoridation substances, containing unknown amounts of known contaminants, impact Utah's unique water system, including the Great Salt Lake, the Jordon River, the groundwater and our shallow and deep aquifers?
- Will the addition of water fluoridation substances, containing unknown amounts of known contaminants, further contaminate our groundwater?
- As it is so reactive, do we know how fluorides interact with water disinfectants, natural occurring materials or existing groundwater contaminants such as selenium, perchlorates, petroleums or the dry cleaner fluids, TCE's?
- Although the criteria is the arsenic level in the finished water, how can a water district, like Magna, that has to reduce existing arsenic levels, intentionally add more via the fluoridation substance?
- Should the chemical distributor be required to provide a detailed certificate of analysis that itemizes the specific contaminants as well as the contaminant level, per batch delivered?
- Are water districts indemnified against lawsuits if they use fluoridation substances that may not be in compliance with NSF Standard 60, General requirement 3.2.1?
- Are all Federal and State regulatory requirements being met?
- Have the employees been fully trained and are procedures, rules and regulations, in place and enforced?
- What are the safety considerations, both for the employee as well as the public?
- Have protocol been established for First Responders, HAZMET teams and other emergency personnel? Do the hospitals have appropriate medicines on-site? Do local labs have the capacity to test urine and blood samples for fluoride levels within 24-48 hours of exposure?
- What is the ongoing budgetary impact of this mandate?
- What are the liabilities or legal actions that might be anticipated?

"Fluoride is fluoride"

What are the facts regarding the artificial fluoridation substances

Fluoride is the term used, and sometimes misused by laymen and scientists to indicate a wide array of substances containing the element fluorine. The fluorine atom is the most reactive of all the non-metal atoms. Fluorine (F2) is an extremely reactive, poisonous and corrosive gas. It reacts with every other element except two noble gases (helium and neon). Except for some emissions from volcanoes, fluorine gas does not occur freely in nature. As the lowest molecular-weighted halogen, fluorine displaces the other halogens, such as iodine, which is essential to thyroid and other body functions.

Fluoride in its various forms is used to etch glass, ceramics and computer chips; separate uranium isotopes; crack petroleum products; make ceramics more porous; inhibit the fermentation in breweries and wineries; polish aluminum; refine almost all metals and is used in rocket fuels and household rust removers. It is one of the world's most widely used insecticides and pesticides. The most commonly used fumigant for termites is sulfuryl fluoride (Vikane). 3M recently announced the withdrawal of Scotchgard from the market despite its $320 million in annual sales after finding that the fluorine-based chemical lingers in the environment for years and is found widely in the bloodstreams of people around the world. Fluoride is used in many psychotropic drugs and the majority of generally used anesthetics (Halothane), in some cases for its toxic properties, in others for its ability to potentiate. Prozac (fluoxetene). Phen-Fen (fenfluramine, the diet drug removed from the market for heart valve damage), and Rohypnol (Roofies, the date rape drug) are three fluoride-based products seen in the news recently, and each of the three fluoride-based products are intended to affect the chemical activity of the brain as Selective Seratonin Reuptake Inhibitors - the chemical that transmits messages from one neuron to another.

Fluoride **is not added to water supplies.** The public water fluoridation choices include industrial grade hydrofluosilicic acid (H2SiF6), sodium fluoride (NaF) and sodium silicofluoride (NaSiF6). Each industrial grade fluoridation substance requires a substance-specific infrastructure. These artificial fluoridation substances are not the pharmaceutical grade "fluoride" prescribed and dispensed nor is it the "fluoride" found in toothpaste or mouth rinses.

"Hydrofluosilicic acid is manufactured by two different processes…the largest production of the acid is a byproduct of phosphate fertilizer manufacture." CDC Water Fluoridation A Manual For Engineers pg 15

Some of the contaminants reported as present in fluorine bearing substances hydrofluosilicic acid and other silicofluorides used in artificial water fluoridation programs include *arsenic, barium, beryllium, cadmium, chromium, crystalline silica, fluorine, hydrogen fluoride, iron, iodine, lead, lead 210, mercury, phosphorous, polonium 210, radon 222, selenium, silica and silver*, *oil-based de foamers, dioxins, polymers, petroleum products, naphthalene, chlorides, sulfides and synspar*

"In 1999, 5 companies operated 10 plants that processed phosphate rock for the production of phosphoric acid and produced 69,200 t of byproduct fluorosilicic acid and sold or used 69,100 t of byproduct fluorosilicic acid at a value of about $9.47 million…. fluorosilicic acid is a byproduct of the phosphate fertilizer industry and is not manufactured for itself alone…" Fluorspar 1999 by M. Michael Miller, USGS Fluorspar Commodity Specialist

The Employee/Subset At Risk

"Fluoride remains a safe compound when maintained at the optimal level in water supplies to distribution systems however an operator might be exposed to excessive levels if the proper procedures are not followed or if the equipment malfunctions. Thus the use of personal protective equipment (PPE) is required when fluoride compounds are handled or when maintenance of equipment is performed. The employer should develop a written program regarding the use of PPE. **The water supply industry has a high incident of unintentional injury compared with other industries in the United States."** CDC MMWR report Engineering and Administrative Recommendations for Water Fluoridation Morbidity and Mortality Reports Sept 29, 1995 Vol 44 RR-13 http://www.cdc.gov/mmwr/PDF/rr/rr4413.

A Toxicological Profile by the US Department of Health and Human Services, Agency for Toxic Substances and Disease Registry (ATSDR) TP-91/17 page 112, Sec 2.7 (Health Impacts) April 1993 states ***"Existing data indicate that subsets of the population may be unusually susceptible to the toxic effects of fluorine and its compounds.*** These populations include the elderly, people with deficiencies of calcium, magnesium, and/or vitamin C and people with cardiovascular and kidney problems. Poor nutrition increases the incidence and severity of dental fluorosis. Recent studies suggest the practice of fluoridating public water supplies could place the elderly at increased risk of hip fractures. Fluoride is contraindicated for individuals with thyroid problems. Recent studies suggest individuals with kidney (renal) dysfunction should avoid fluorides. Impaired renal clearance of fluoride has also been found in people with diabetes mellitus and cardiac insufficiency. It also inhibits energy metabolism through the tricarboxylic acid cycle by blocking the entry of pyruvate and fatty acids and by inhibiting succinic, dehydrogenase.

- A substantial body of evidence (both animal and human) currently exists suggesting that fluoride may cause osteosarcoma, a rare and deadly cancer of the bone, particularly vulnerable are young boys.
- A policy statement from the FDA states "Fluoride when used in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animal, is a drug that is subject to FDA regulation. No New Drug Applications have ever been approved or rejected for fluoride drugs meant for ingestion."
- In a letter dated November 16, 2000, the EPA states " To answer your first question on whether we have in our possession empirical scientific data on the effects of fluosilicic acid or sodium silicofluoride on health and behavior, our answer is no."
- 2002 The EPA Headquarters Union of Scientists issued a statement of concern " NTEU Chapter 280 and its individual Executive Board members have signed on to the following Statement of Concern about the science of fluoridation. The goal is to stimulate a Congressional hearing on this national policy, which has not been aired before Congress and the public since 1978. Since 1978, a wealth of peer reviewed literature has been published on the carcinogenic, genotoxic and neurotoxic effects of fluoride, as well as on the efficacy of fluoridation. We believe that a full, open debate on the merits of the science underpinning fluoridation - and EPA's drinking water standards - is long overdue."
- Friday, August 5th 2005**,** the majority of the EPA's Unions requested that the EPA direct the Office of Water to issue an Advanced Notice of Proposed Rulemaking setting the maximum contaminant level goal for fluoride at zero, in accordance with Agency policy for all likely or known human carcinogens.
- March 22, 2006 National Research Council (NRC) Report on Fluoride Toxicity "After reviewing the collective evidence on adverse health effects associated with fluoride, our committee concluded unanimously that EPA should lower the maximum contaminant level goal (4ppm) for fluoride" "On a per-body-weight basis, infants and young children have approximately three to four times greater exposure than do adults."
- November 9, 2007 - ADA member press release Infants, Formula and Fluoride
  " If using a product [powdered formula] that needs to be reconstituted, parents and caregivers should consider using water that has no or low levels of fluoride."

FOIA/GRAMA Requests and Responses

The following information was compiled from national and local sources and governmental agencies as a result of GRAMA or FOIA requests made of the Salt Lake and Davis Health Departments and DEQ since 2003. These are only a small sampling of the questions asked and the answered received.

Q. *Please provide a copy of the research/study conducted prior to the implementation of the fluoridation mandate that determines how fluorides found in public water fluoridation chemicals with interact with lead and copper in the water systems infrastructure. How will fluorides found in public water fluoridation chemicals react with selenium or existing subsurface pollutants such as perchlorates ?*

A. The Salt Lake Valley Health Department does not have records responsive to this request therefore your request is denied.

Q *What are the arsenic and lead levels, in parts per million, within the H2SiF6 which is being added to public water supplies?*

A. This is a question, not a request for a specific Health Department record.

Q. *Please provide a copy of the Environmental Impact Mitigation study/ Environmental Impact Study of public water fluoridation chemicals on the Great Salt Lake, Farmington Bay or the Jordon River.*

A. The Health Department did not perform an Environmental Impact Mitigation Study or an Environmental Impact Study. Environmental reviews are requested for (1) major federal action having (2) significant impact on the quality of the human environment.

Q. *Please provide a dated copy of the study or studies undertaken that determine both the long term as well as the short term effect of hydrofluosilicic acid compounds and sodium silicofluoride compounds on our closed water system, the Farmington Bay and the Great Salt Lake.*

A. No Salt Lake Valley (or Davis County) Health Department records have been identified.

Q. *Are the lead and arsenic levels in the existing water systems equal between systems?*

A. This is a question, not a request for a specific Health Department record.

Q *Please provide written documents from the Director of the CDC and the Salt Lake County Health Department that compounds now used for water fluoridation have been tested on laboratory animals for health effects from lifetime chronic ingestion and said to be without adverse effects.*

A.. No Salt Lake Valley (or Davis County) records have been identified.

Q. *Please provide a copy of the statute, ordinance or regulation from the Salt Lake Valley Health Department that indicated the identified subset has been notified of the potential risk associated with fluoride consumption. (included was ATSDR subset at risk)*

A. Your request fails to identify any source of information in support of the statement that the elderly are at risk by consuming fluoride. The Salt Lake Valley (or Davis County) Health Department does not have a record that contains a statute, ordinance or regulation requiring the notification of elderly people that they are at risk by consuming fluoride. Therefore, your request is denied.

Q. *What is the UPDES limit as well as the Groundwater limit established for fluorosilicic acid (H2SiF6)?*

A. UPDES limits are set as a function of 1) flow of the receiving water 2) background concentration of the parameter in question in the receiving water 3) design flow of the NPDES permitee's discharge, and 4) the application standard for fluoride. It is important to understand that the standard of fluoride varies as a function of air temperature. The permit levels are calculated through mass balance equations utilizing parameters mentioned above. It is therefore not possible to determine what a UPDES limit would be unless those parameters mentioned above are known. The State of Utah has adopted the EPA MCL of 4 mg/l for fluoride as a Utah Ground Water Standard in R317-6 Table 1 of the Administrative Rules for Ground Water Quality Protection. No ground water standard has been established for hydrofluorosilicic acid (H2SiF6)

Q. *What is the residual hydrofluorosilicic acid level in the effluent water released from the wastewater treatment plants?*

A. The Division of Drinking Water Quality does not require reporting of fluoride from the wastewater treatment plants.

Q. *What are the site specific, numeric limits established for hydrofluorosilicic acid in the Great Salt Lake, Farmington Bay and the Jordan River?*

A. The water quality standards for fluoride are applied to domestic sources (drinking water sources) in the State of Utah with a classification IC. As mentioned previously, the values vary from 1.4-2.4 mg/l as a function of air temperature. These standards apply to the Jordan River from the Narrows Diversion to Utah Lake. From the Narrows Diversion north the Jordan River does not carry the IC classification. Therefore the standard does not apply to this section of the Jordan River. Similarly the Great Salt Lake and Farmington Bay do not carry the IC classification and therefore the standard does not apply to these waters either.

The Fluoride Imitative – An Opinion Question

Statements made by Davis and Salt Lake County Health Departments

In Davis County, court documents reveal that prior to the 2000 vote, the fluoridation of public water supplies was referred to as *a "stealth" campaign* by the Interim Health Department Director, Richard Harvey

Prior to the 2000 vote, the Davis County Board of Health **Fluoridation Facts** "*Opponents say the fluoride used to fluoridate water is a toxic waste*, unlike the fluoride used in toothpaste or supplements. Nonsense, Fluoride is fluoride. Fluoride is a naturally occurring mineral, not a medicine or a drug."

Prior to the 2000 vote, ***on the SLVHD website***, 101 Fluoridation Facts, *"Is there a difference between natural fluoride and the fluoride used in "artificial fluoridation"?* No. There is no such thing as artificial fluoride. Fluoride is found in a natural mineral form and cannot be artificially created. The appropriate term "adjusted" fluoridation more accurately describes the process. In the fluoridation process, natural fluoride from the environment is used to adjust the existing natural level of fluoride to the recommended level of 1 ppm for preventing tooth decay. Is fluoride a fertilizer? No. Fluoride is not a fertilizer. Fluoride is a mineral that is obtained from rocks and minerals in the environment. Phosphate, which is a fertilizer, is often found in the same rocks and minerals as fluoride. During the phosphate fertilizer manufacturing process, fluoride is collected separately from the phosphate.

Prior to the 2000 vote, ***on the SLVHD website***, 101 Fluoridation Facts *"Is it possible for a fluoride spill to occur at the water treatment plant and cause the water supply to receive a toxic dose of fluoride?* No. It is virtually impossible…. It is a mechanical impossibility…"

Prior to the 2000 vote, ***on the SLVHD website***, 101 Fluoridation Facts *" Are certain populations (elderly, people with deficiencies of calcium, magnesium and vitamin C, and people with cardiovascular and kidney problems) susceptible to the toxic effects of fluoride? No.* This claim has been made by antifluoridationists to scare the public and persuade community leaders to discontinue water fluoridation."

Prior to the 2000 vote, ***on the SLVHD website***, 101 Fluoridation Facts "*Is water fluoridation a form of mass medication?* No. Fluoride is the 13th most abundant element in the earth's crust and also in the human body. It is present in small and varying amounts in all soils, plants, animals, air and water supplies. Fluoride occurs naturally in varying amounts in surface water (oceans and lakes) and in groundwater. Because of this, our diet contains fluoride and it is then deposited in our teeth and bones.

Prior to the 2000 vote, ***the Davis County Board of Health*** prepared a brochure entitled Fluoridation Facts "*Opponents say fluoride is a medicine and we will have mass medication.* Fact: Fluoride is a naturally occurring mineral, not a medicine or a drug. Water fluoridation merely adjusts the natural level of fluoride which is already present in the water.

The 2004 Utah Department of Health Statement on Community Water Fluoridation states the nationwide goal to prevent cavities through community water *fluoridation is similar to previous public health efforts to prevent common health problems..an additive is provided to everyone..since it is impossible to individually identify and effectively treat the significant number of people who are at risk.* As a result of these programs, thousands of cases of illness, disability and death are prevented each year with no harm to the rest of the population.

AGENDA ITEM 13

DIRECTORS REPORT

a) The Town of Alta and the Salt Lake County Service Area # 3 Report

TOWN OF ALTA
P.O. BOX 8016
ALTA, UTAH
84092-8016
TEL. (801) 363-5105 / 742-3522
FAX. (801) 742-1006

February 5, 2007

RECEIVED
FEB 0 6 2007
Drinking Water

Kenneth H. Bousfield
Compliance Manager
Division of Drinking Water
P.O. Box 144830
Salt Lake City, Utah 84114-4830

RE: Antimony Variance: Annual Update/February, 2007

Dear Mr. Bousfield,

At the March 3, 2006 Drinking Water Board Meeting, The Town of Alta was granted a two year variance for Antimony. A stipulation in the variance was that the Town of Alta report back to the Division of Drinking Water annually during the variance period.

Here are the steps that the Town has taken to comply with the variance.

1. In September of 2005 The Division of Drinking Water approved a Running Annual Average Sampling plan for Antimony compliance for the Town of Alta. This sampling plan is an attempt to see if compliance with the 6 ppb mcl is possible through blending and averaging. We have been using this sampling plan for over 16 months now and while it was initially promising, we were not able to meet the 6 ppb mcl. Our current running annual average is 9.3 ppb. We will continue this sampling plan at least through 2007. The Antimony free water that the Town blends with comes from a source owned by Salt Lake County Service Area #3. The Service Area is planning to re-develop this source in 2007. This may allow for a longer blending period for the Town and bring them into compliance.

2. We have been testing a Point of Use filter system that has had promising results. It is a Krystal Pure KR15 R/O system. It has been in service in a residence for over a year. We have been sampling for Antimony from this system monthly and the results are still non-detect.

3. Antimony compliance through full scale treatment is still an option. We have verified that Granular Ferric Hydroxide with ph adjustment will work. It is the best available technology of the many that we have tested. The Town would need some type of grant assistance and our water users could see a substantial water

rate increase for this option to be viable. The Town of Alta remains on the FSRF project priority list but we are not ready to ask for funding at this time.

4. We have conducted a literature search for any significant improvements in technology or more detailed, current toxicity studies. There is really nothing new to help us here although there is an interesting mine discharge study that shows little effect of on Rainbow Trout from Antimony.

I'm attaching pertinent documents relating to this first year of the variance. These include sample results, water rights correspondence, and miscellaneous letters. Mr. Hanson will be attending the Drinking Water Board meeting on March 1st to help answer any questions that the Drinking Water Board may have.

Thank you for your assistance and interest in our unique situation.

Sincerely,

Tom Pollard, Mayor

Keith J. Hanson
Water System Manager
Town of Alta

Rec. 4/14/06

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

State of Utah

Department of
Environmental Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF DRINKING WATER
Kevin W. Brown, P.E.
Director

April 12, 2006

The Honorable Tom Pollard, Mayor
Town of Alta
P.O. Box 8016
Alta, Utah 84092-8016

Dear Mayor Pollard:

Subject: Antimony Variance for Water System #18049

The Drinking Water Board met on March 3, 2006 to consider your application for a Variance for Antimony. Following a staff presentation and consideration of comments, the Board voted in favor of granting the Variance for a period not to exceed two years with the requirement that your water system report the status of any research, testing, blending results or literature reviews conducted during the 24 month period, and to submit the report annually to Division of Drinking Water staff. Such report should be submitted on or before January 31, 2007 and January 31, 2008.

During the discussion of this agenda item, the Board did indicate their willingness to consider a renewal application for Antimony in 2008, if it is necessary.

The Board further directed that the Town of Alta report on the status of water rights in its first report. We interpret this to mean: 1) That Alta would show that Salt Lake City owns the water rights in the Little Cottonwood Canyon area; 2) the Town of Alta uses water by agreement with Salt Lake City; and 3) a statement by an appropriate representative from Salt Lake City indicating their restrictions on Alta's use of Salt Lake City's water.

Should you have any questions concerning this correspondence, please feel free to call Kenneth Bousfield, of my staff, at (801) 536-4207.

Sincerely,

DRINKING WATER BOARD

Kevin W. Brown, P.E.
Executive Secretary

KHB:jsy

cc: Salt Lake Valley Health Department

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TOWN OF ALTA
P.O. BOX 8016
ALTA, UTAH
84092-8016
TEL. (801) 363-5105 / 742-3522
FAX. (801) 742-1006

August 11, 2006

Kevin Brown, P.E.
Executive Secretary
Division of Drinking Water
150 North 1950 West
Salt Lake City, Utah 84114

Dear Mr. Brown,

Pursuant to your letter dated April 12, 2006 regarding the antimony variance for our water system, LeRoy W. Hooton, Jr. , Director of Salt Lake City Department of Public Utilities has responded to the Division of Drinking Water request for a report on the status of water rights in the Town of Alta. I have enclosed a copy of that letter addressed to Mayor Tom Pollard for your reference and ask that you forward the same on to the Drinking Water Board.

If you or any member of the Board should have any questions, comments or need further clarification on this matter, please don't hesitate to contact me in the Town Office at 801-363-5105.

Thank you.

Cordially,

Kate Black
Town Clerk
Town of Alta

Cc: Mayor Tom Pollard
Keith Hanson, Service Area #3

Enclosures

LEROY W. HOOTON, JR.
DIRECTOR

SALT LAKE CITY CORPORATION
DEPARTMENT OF PUBLIC UTILITIES
WATER SUPPLY AND WATERWORKS
WATER RECLAMATION AND STORMWATER

ROSS C. "ROCKY" ANDERSON
MAYOR

August 8, 2006

The Honorable Tom Pollard
Mayor, Town of Alta
P.O. Box 8016
Alta, Utah 84092-8016

Re: Town of Alta Water Supply

Dear Mayor Pollard:

We understand the Town of Alta is working with the Utah Division of Drinking Water, Drinking Water Board (the "Board"), to obtain a variance related to the antimony levels and timeline for implementation established by the State of Utah. As part of this variance, the Board has requested a statement from Salt Lake City regarding restrictions inherent in the Town's water supply.

Alta obtains 100% of its drinking water from Salt Lake City, pursuant to that certain Water Supply Agreement between Salt Lake City and the Town, dated August 12, 1976, as amended (the "Contract"). Under the terms of the Contract, Alta may take water only from the following two sources: (i) the Bay City Mine, and (ii) a diversion point above the Snake Pit on Little Cottonwood Creek, as more particularly specified in the Contract. In addition, the Town may, under the terms of an MOU entered into between Salt Lake City and the Town on August 15, 2005, take water under limited circumstances and conditions from a tunnel on the J.P. Lode Mining Claim specified as a source under a water supply contract between Salt Lake City and Salt Lake County Service Area # 3. Use of water from Service Area #3 is on a temporary basis only, in connection with a pilot project to determine the feasibility of blending water from an alternate source to reduce the concentration of antimony in Alta's water supply. The MOU contemplated that, if the pilot project proved successful, the parties would explore the feasibility of allowing water use from such alternative source on a more permanent basis.

Alta has no right to purchase water from Salt Lake City from any source other than as described above. Under Salt Lake City's watershed ordinance, the City may not expand the existing Contract. The ordinance does allow for a change in the source (which is the legal basis for the temporary MOU). However, the ordinance expressly prohibits the drilling of wells as new water sources.

1530 SOUTH WEST TEMPLE, SALT LAKE CITY, UTAH 84115
TELEPHONE: 801-483-6900 FAX: 801-483-6818
WWW.SLCGOV.COM

Please contact me if you have any questions regarding Alta's sources of water supply.

Sincerely,

LeRoy W. Hooton, Jr.,
Director

LWH:JN

Cc: Chris Bramhall – Deputy City Attorney
file

Division of Drinking Water
Quarterly Report for Antimony Compliance

Quarter: 4
Year: 2006
System Number: 18049

System Name: Town of Alta
Prepared by: Steve McIntosh

Critical Test point as determined by State: Goldminers Daughter

System Population: 400

Total Antimony Samples Required Per Month: 1

Antimony Compliance

Current Quarter	
1st Month Sample	0.0122
2nd Month Sample	0.0136
3rd Month Sample	0.0144
Current Quarter Average	0.0134
1st Previous Quarter Avg	0.0077
2nd Previous Quarter Avg	0.0048
3rd Previous Quarter Avg	0.0111
Running Annual Average	0.0093

C:/Stevie/Sb Forms

Division of Drinking Water
Quarterly Report for Antimony Compliance

Quarter: Four
Year: 2005
System Number: 18049

System Name: Town of Alta
Prepared by: Steve McIntosh

Critical Test point as determined by State: Goldminer's Daughter

System Population: 400

Total Antimony Samples Required Per Month: 1

Antimony Compliance

Current Quarter			
1st Month Sample	0.0024		
2nd Month Sample	0.0134		
3rd Month Sample	0.0124		
	Current Quarter Average	0.0094	
	1st Previous Quarter Avg	0.0019	
	2nd Previous Quarter Avg		
	3rd Previous Quarter Avg		
		Running Annual Average	0.0057

C:/Stevie/Sb Forms

Division of Drinking Water
Quarterly Report for Antimony Compliance

Quarter: Three
Year: 2005
System Number: 18049

System Name: Town of Alta
Prepared by: Steve McIntosh

Critical Test point as determined by State: Goldminers Daughter

System Population: 400

Total Antimony Samples Required Per Month: 1

Antimony Compliance

Current Quarter	
1st Month Sample	
2nd Month Sample	0.0017
3rd Month Sample	0.0020

Current Quarter Average	0.0019
1st Previous Quarter Avg	
2nd Previous Quarter Avg	
3rd Previous Quarter Avg	

Running Annual Average	0.0019

C:/Stevie/Sb Forms

Chemtech-Ford Laboratories

Certificate of Analysis

Lab No.: 07 00496
Lab Group No.: 82573

Name:	Alta, Town of	***Sample Date:***	1/17/2007 11:10 AM
Sample Site:	Eilber	***Receipt Date:***	1/17/2007 1:45 PM
Sample ID:	07 00496	***Sampler:***	STEVE
System No:	18049	***Sample Source:***	
Sample Type:	Drinking Water	***Project:***	January Metals

Parameter	Sample Result	Mimimum Reporting Limit	Units	Method	Analysis Date	Analysis Time	Analyst Initials	Flag
Group B - Metals								
Antimony, Total, ICP/MS	ND	0.0005	mg/L	EPA 200.8	1/22/2007	14:38	MJB	

Abbreviations

ND = Not detected at the corresponding Minimum Reporting Limit.
1 mg/L = one milligram per liter = 1 part per million.
1 ug/L = one microgram per liter = 1 part per billion.

Flag Descriptions

APH = The test was performed past the EPA specified holding time.
H = A high bias is suspected.
I = The analysis experienced a matrix interference which may have affected the results.
J = The result is positive and estimated. The result falls between the Minimum Reporting Limit and the Method Detection Limit.
L = A low bias is suspected.
O = The analysis was performed by an outside contract laboratory.
R = The value represents a reanalysis.
SPH = The sample was submitted for analysis past the EPA specified holding time.

6100 South Stratler
Murray, UT 84107
801-262-7299 Office
801-262-7378 Fax

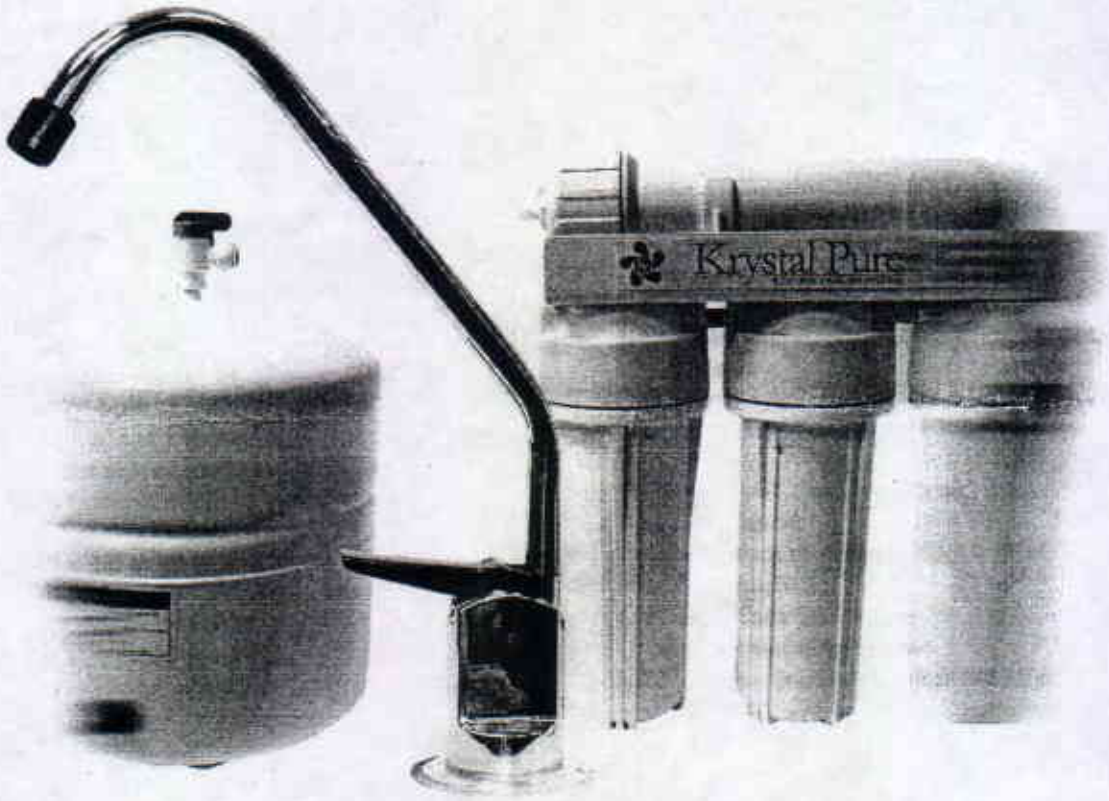
Owners Manual

For Reverse Osmosis Systems

Krystal Pure™ : KR5 | KR10 | KR15

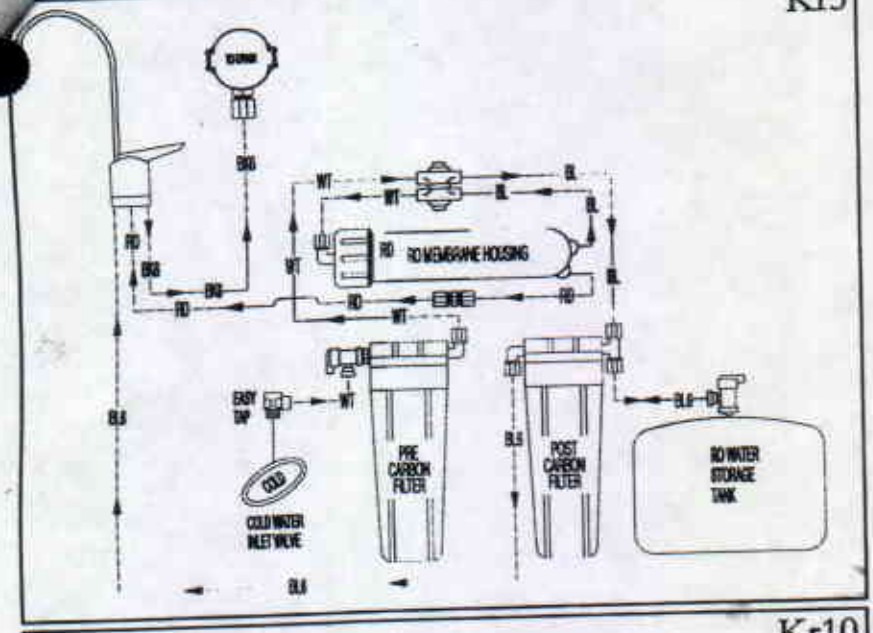
Includes: Installation and Service Procedures, Specifications and Operation Guidelines

lows $220.00



Krystal Pure RO Schematics

Kr5



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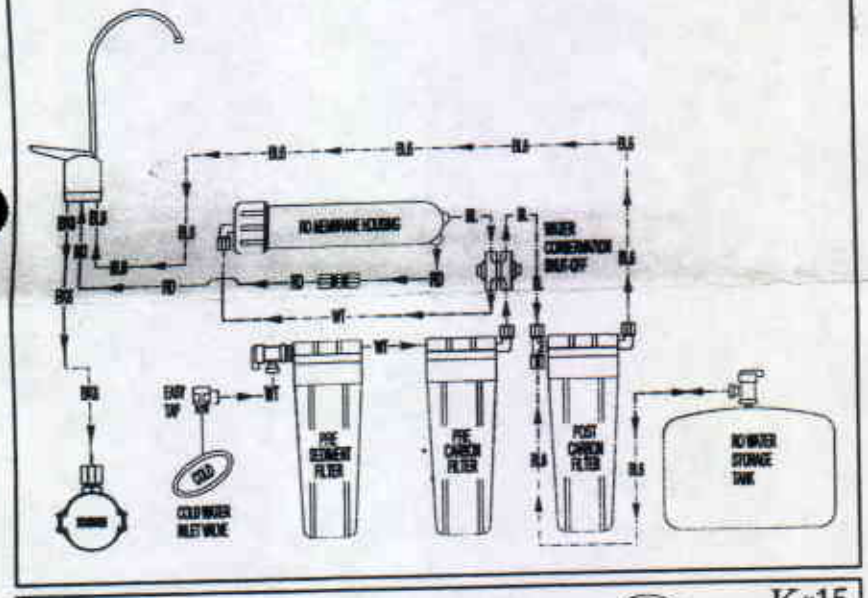
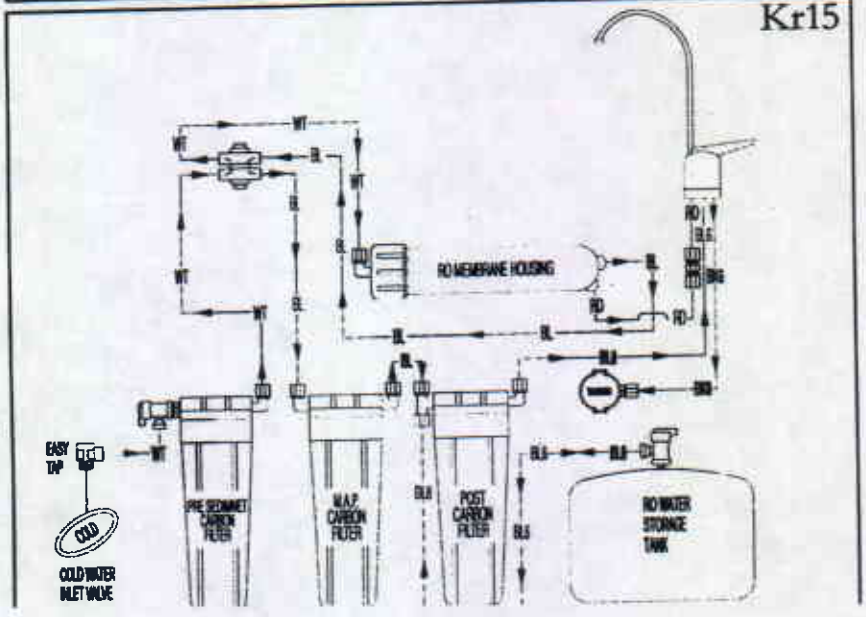


Kr15



WT = WHITE
BK = BLACK
BK6 = 3/8" BLACK
BL = BLUE
BL6 = 3/8" BLUE
RD = RED

INTRODUCTION

Congratulations, you have purchased one of the highest quality Reverse Osmosis systems available today. This unit combines a series of different filtration processes into one single module that makes bottle-quality water right in your own home or office. This system has been engineered with only the finest quality components and materials. The system works connected to most potable city water supplies.

NOTE: *Please read entire manual carefully before proceeding with installation. Failure to follow manual's guidelines could cause personal injury or property damage. Be sure to check household plumbing for signs of leaks, corrosion and aging. Correct these problems before attempting to install your new RO system.*

SPECIFICATIONS & LIMITATIONS

Incoming Water Supply:	
PH	3-11 Maximum
Water Pressure	40-85 PSI Maximum
Total Dissolved Solids (TDS)	2000 PPM Maximum
Temperature – Air and Water	40° - 110° F Maximum
Hardness	Water Softener Recommended Over 10 GPG
Iron Content	1 PPM Maximum
System:	
Rejection Rate	Up to 98% T.D.S.
Production Ratio	3 to 1*
Storage Capacity	Up to 3.2 Gallons
Production Capacity	Up to 15 – 30 Gallons per day

**NOTE:* *Can vary greatly depending on water, pressure, temperature, T.D.S. and hardness. Regular maintenance and filter replacement are necessary for system's performance and longevity.*

WARNINGS

1) **Only use with potable water supplies** (Water must be microbiologically safe).
2) **Check for leaks after installation or service** as system is reaching standard operating pressure and temperature. **Check for leaks periodically thereafter.** A system may be inadvertently moved or jarred while other items are moved under the sink. ***If a fitting is accidentally loosened, a leak could result causing damage to your cabinet.***
3) **Do not let system freeze.** Allow to warm up to room temperature before installing. Best to be installed indoors with air temperature between 60° - 85° F.
4) **Attach to cold water supply only.**
5) A water softening appliance is recommended if hardness of incoming water supply is over 10 grains of hardness to increase filter life.
6) **Never drain RO tank completely without first turning off the refrigerator icemaker.**
7) Air gap faucet may cause a slight noise at first but noise should diminish in about a week. If noise continues, adjusting drain clamp may help reduce noise. Also, install faucet so airgap faucet hole will drain into the sink if drain line gets plugged from obstruction in the drain line.
8) Water containing iron in excess of 1ppm will require some pretreatment. Consult your local water authority.
9) Failure to follow recommended service intervals or use of filters and parts other than those recommended by the manufacturer may void warranty.
10) Drain RO tank completely at least twice a year. If daily use averages less than a gallon per day, drain every two weeks. (See cover page for variety of uses)
11) We recommend having all porcelain/ enamel-coated sinks professionally drilled.
12) Sanitizing most ROs on a yearly basis is important for reducing bacteria build-up.

A. Slowly turn Filter Pac/RO module ball valve to the on position (blue valve in the vertical position). As water enters the filter bowls and makes its way through the filters to the membrane element you will hear air escaping through the drain. This is normal. Turn on RO faucet on sink until the water starts coming out. (Water flow will only be a trickle and may take up to 20 minutes to being on some units). Shut RO faucet off and check for leaks and adjust as necessary.

B. Open the tank ball valve by turning handle a ¼ turn toward the tubing. Let tank fill for 4 to 6 hours (if you are changing filters, your tank may already be full, so you would not need to wait). Then turn on RO faucet and drain tank completely, (approx. 5 minutes). Shut RO faucet off, allow tank to refill, and drain again in 4 to 6 hours. **DO NOT DRINK THE RO WATER UNTIL TANK HAS BEEN DRAINED TWICE!!!**

IMPORTANT: Check carefully for small leaks every few hours for the first few days to assure there are no leaks. It is wise on any RO system to inspect for leaks since the system sits unseen underneath your sink and a small leak may not be detected without close inspection. Check for leaks occasionally thereafter and make adjustments as necessary

STEP 8 – REFRIGERATOR HOOK UP

A. If there is not an ice-line from the RO to the refrigerator, you may choose to run an ice-line so that your ice and water dispenser will have filtered water. If the distance from the refrigerator to the RO is more than 50', we recommend 3/8" polypropylene or polyethylene tubing for best results. **DO NOT USE COPPER**. (Be sure you have the recommended water pressure to your icemaker according to the refrigerator manufacturer's specifications.) 3/8" tubing, a supplemental storage tank, more RO air pressure, or different usage patterns, may be required to supply adequate pressure!

B. Connect tube (not included) to appropriate refrigerator connection and to a plastic "T" fitting (not included) spliced into the 3/8" blue tube between post filter and faucet. It is recommended to install a ball valve on the tube to the refrigerator for service and start up purposes. Keep ball valve off until start up procedures are completed and RO tank is completely full after the second tank draining.

IMPORTANT: Never turn on ice maker before RO tank is full of water to avoid damaging refrigerator solenoid. If your refrigerator has a water dispenser in the door you will need to depress the water supply lever 2 to 3 minutes minutes before the water will dispense.

STEP 9 – RECOMMENDED FILTER SERVICE LIFE

The type of filters listed below vary depending on RO system style. Water conditions vary greatly by region. For filter change intervals recommendations, contact your local water professional for recommendations. If in doubt, follow guidelines below.

A. Sediment Pre-filter - These are the only filter(s) that you can visually inspect. They are white when new and will turn a dark color when changing is necessary. A water softening unit will extend the life of the filter(s). Inspect every 6 months or sooner in bad water conditions.

B. Carbon Pre-filter - These filters should be changed every 6 months. Changing these filters is necessary to help insure membrane life and water quality. Use of carbon block filters only is recommended. Granular carbon filters are **not recommended** because they release excessive carbon fines at initial start-up, which can reduce the life of the membrane element.

C. RO Membrane - The RO membrane should be changed when TDS (Total Dissolved Solids) rejection rate falls below 70%. The rejection rate should be tested periodically to insure optimal performance. The membrane typically lasts 2-5 years depending on water quality and hardness.

D. Carbon Post-filter/ Carbon MAP Filter - These filters need to be changed at least every 12 months to insure quality water. Do not wait until taste is a problem.

E. Filter Configuration:

KR5 – (1) Carbon Pre-filter (1) Carbon Post-filter
KR10 – (1) Sediment Pre-filter, (1) Carbon Pre-filter (1) Carbon Post-filter
KR15 – (1) ½ micron Carbon Pre-filter (1) Carbon MAP filter
(1) Carbon Post-filter

MANUFACTURER'S WARRANTY

REVERSE OSMOSIS / FILTRATION
LIMITED WARRANTY

Your Reverse Osmosis / Filtration system is warranted to the original owner from date of purchase, as indicated below.

Factory labor to repair or replace defective component(s) covered by warranty for:

Model KR5	1-year from date of purchase
Model KR10	2-years from date of purchase
Model KR15	3-years from date of purchase

The membrane is warranted to be free from material defects and provide a minimum of 70% TDS rejection for:

Model KR5	1-year from date of purchase
Model KR10	2-years from date of purchase
Model KR15	3-years from date of purchase

The tank and faucet components are warranted to be free from material defects for:

Model KR5	2-years from date of purchase
Model KR10	3-years from date of purchase
Model KR15	5-years from date of purchase

All filters are warranted to original owner to be free from material defects for the service life specified in the owner's manual or for 1-year from date of purchase, which ever is less.

All other components are warranted to original owner to be free from material defects for a period of 1-year from date of purchase.

Please read carefully the installation, maintenance, and specification manual. Divergence from these instructions or use on non-potable water supply will void your warranty.

DO NOT CONTACT THE LOCATION WHERE YOU PURCHASED YOUR EQUIPMENT. For warranty service contact the manufacturer. Send or deliver the defective component or unit to the manufacturer for inspection, freight prepaid, with a copy of sales invoice and manufacturer's warranty. The parts or unit will be repaired or replaced at our option and returned to the customer, freight prepaid.

This warranty does not cover any defects or damage resulting from water pressure exceeding 85psi, misuse, misapplication, neglect, alterations, accident, improper maintenance or installation contrary to manufacturer's printed instructions and specifications, casualties, fire, flood, Reverse Osmosis drain line plugging, sediment/scale fouling, water temperatures over 110°F, freezing, environmental factors, or acts of God.

This warranty is void if equipment is moved from original installation site or repaired by an unauthorized service agent or if not using AmeriFlow approved filters and components. This warranty does not cover systems used outside the United States.

This warranty does not cover any consequential damages, including travel expense, telephone charges, loss of revenue, loss of time, inconvenience, loss of use of the equipment and/or its failure to function properly.

THIS WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER EXPRESS WARRANTIES, IMPLIED WARRANTIES, INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF MERCHANTIBILITY AND FITNESS FOR A PARTICULAR PURPOSE, SHALL NOT EXTEND BEYOND THE DURATION OF THIS GUARANTEE. SOME STATES DO NOT ALLOW LIMITATIONS ON HOW LONG AN IMPLIED WARRANTY LASTS, SO THE ABOVE LIMITATION MAY NOT APPLY TO YOU. AMERIFLOW MANUFACTURING WILL NOT BE RESPONSIBLE FOR ANY CONSEQUENTIAL OR INCIDENTAL DAMAGES SUFFERED BY CUSTOMER ARISING FROM ANY DEFECT OR MALFUNCTION IN THE UNIT. SOME STATES DO NOT ALLOW THE EXCLUSION OR LIMITATION OF INCIDENTAL OR CONSEQUENTIAL DAMAGES, SO THE ABOVE LIMITATION OR EXCLUSION MAY NOT APPLY TO YOU.

AmeriFlow™ Manufacturing & Distribution · 7440 S. Priest Dr. Tempe, AZ 85283 U.S.A. · 1-602-275-4188

A TIME Network Project

Literature Review of Environmental Toxicity of Mercury, Cadmium, Selenium and Antimony in Metal Mining Effluents

Prepared for:

The TIME Network

and sponsored by
Natural Resources Canada,
The Mining Association of Canada and
Environment Canada

Prepared by:
BEAK INTERNATIONAL INCORPORATED

March, 2002

3.4 Antimony

3.4.1 General Toxicity Considerations for Antimony

Antimony is a metalloid in Group VB of the chemical periodic table. It is one period below arsenic, and as is the case with selenium and sulfur, antimony and arsenic have chemical similarities. For instance, both elements are known to be biomethylated in the environment and appear to act competitively with respect to toxicity (Andrewes *et al.*, 2000). Relatively little information is available regarding antimony toxicity to freshwater organisms, although the limited toxicological information that exists for mammals likely has general relevance for aquatic biota (Gebel, 1997). It is possible that the most important characteristic of antimony in the context of mine effluents is its potential to competitively inhibit arsenic toxicity due to the similarity of these two elements.

3.4.2 Review of the Acute Toxicity Literature for Antimony

Few data exist for antimony toxicity. The available data indicate that antimony is not a particularly potent toxicant to fish (Table 3.7). The 96-h LC_{50} estimate varies from 21.9 to 35.5 mg/L, based on two tests involving fish. Chronic data for rainbow trout exposed over a 28-day period indicate the median lethal concentration may be as low as 600 µg/L (0.6 mg/L), while similar data for fathead minnows indicate a somewhat higher value.

For *Daphnia magna*, acute toxicity occurs in the range of 9-20 mg/L antimony, with a high estimate of 530 mg/L in one study (Table 3.8). Chronic test data for *Daphnia magna* (28-day life cycle exposure) indicate measurable toxic effects at 5.4 mg/L antimony.

3.4.3 Scale of Potential Toxicity Concern around End-of-Pipe

Based on the effluent composition from Table 1.3, the average dissolved antimony concentration is 129 µg/L (0.129 mg/L). In comparison with the toxicity values of Tables 3.7 and 3.8, this value is in the order of 50- to 100-fold below the acute toxicity thresholds of both rainbow trout and *Daphnia magna*. Therefore, antimony is not expected to make an important contribution to acute toxicity in these tests. Where arsenic is a concern, interactions of antimony to reduce arsenic toxicity could be relevant.

TABLE 3.7: TOXICITY VALUES FOR ANTIMONY IN FRESHWATER FISH (values in mg/L)

Species	Endpoint	Value	Comments	Ref.
Oreochromis mossambicus	96-hr LC_{50}	35.5	• 3-day-old larvae	1
Rainbow Trout	28-d LC_{50}	0.580		2
Rainbow Trout	28-d LC_{50}	0.660		3
Fathead Minnow	96-hr LC_{50}	21.9	• embryo larval test	4
Fathead Minnow	28-d CV	1.6	• embryo larval test	4

1. Lin and Hwang (1998), 2. Birge (1978), 3. Birge *et al.* (1980), 4. Kimball (unpublished).

TABLE 3.8: TOXICITY VALUES FOR ANTIMONY IN INVERTEBRATES (values in mg/L)

Species	Endpoint	Value	Comments	Ref.
Daphnia magna	48-hr LC_{50}	530		1
Daphnia magna	64-hr LC_{50}	19.8	• Antimony trichloride	2
Daphnia magna	48-hr LC_{50}	9	• Antimony potassium tartarate	3
Daphnia magna	48-hr LC_{50}	18.8 12.1	• Unfed • Fed	4
Daphnia magna	28-d CV	5.4	• Life cycle test	4

1. LeBlanc (1980), 2. Anderson (2000), 3. Bringman and Kuhn (1959), 4. Kimball (unpubl.).

Suspended solids are in the range of 5 mg/L. Since the suspended solids in mine effluents can serve as absorptive surfaces for elements such as antimony (Section 2.4.3), the solids could act to reduce effluent toxicity. The importance of this effect will depend upon the adsorptive properties of the solids present in the effluent.

AGENDA ITEM 14

NEWS ARTICLES

Hanksville farms left without water

By Dawn House
The Salt Lake Tribune
Salt Lake Tribune

Article Last Updated:02/14/2007 11:10:02 PM MST

An emergency federal infusion of $4.8 million to rebuild a diversion dam wiped out by massive floodwaters last fall will not help ranchers in tiny Hanksville who need water this spring for their cattle and alfalfa crops.

The funding will pay for 75 percent of the rebuilding effort in this hardscrabble area that receives less than 5 inches of precipitation annually. State lawmakers are considering picking up an additional 20 percent of the tab, while the remaining costs will be paid by this agricultural community about 180 miles southeast of Salt Lake City. Hanksville is home to 250 people and four times that many cattle.

"It's fabulous about the money," said Tracy Albrecht, whose husband, Ronnie, is the fifth generation to work on the family farm. "But we've got to have the water in the next few weeks, so we'll have to work on some kind of a temporary solution."

The Albrechts faced losing their farm after a once-in-200-years storm hit the town on Oct. 6, destroying the century-old diversion dam. Also lost was 2,700 feet of canal, 16,000 feet of fences and 930 acres of alfalfa. Ranchers got some relief when they sent their cattle to winter ranges, but in March there will be no irrigation water for the returning cattle or for spring planting.

Ronnie Albrecht, who is president of the Hanksville Canal Co., said he has been trying to get permission from the Bureau of Land Management to pipe water upstream from the dam into the irrigation ditch. But even if gets the necessary permit, he knows that the process will be time-consuming.

"There's only one ditch," he said. "If I can get the water, it'll be available to everyone else, too."

If this doesn't work and there is not an early rain, cattle will have to be sent early to market and crops will not be planted.

Prospects looked much worse late last year for getting any help from the state or federal government. Hanksville and neighboring Caineville didn't qualify for emergency disaster funds because the flooding hadn't impacted all of Wayne County.

The only available avenue was the federal Conservation Resource Service's watershed protection program, but those prospects did not look too bright because federal officials said the town was in line behind other emergency projects worth $60 million. In another quirky, bureaucratic twist, any work on the diversion dam would be ineligible for reimbursement if the project ended up being approved.

"The town will die without irrigation water," said Hanksville Mayor Stanley Alvey. "The diversion dam is that important."

The application process may have gotten a boost from U.S. Sen. Bob Bennett, ranking member of an appropriations agriculture committee. He had made a personal plea for the money, according to a spokeswoman, because "he knows what the dam means to Hanksville."

The first help came earlier this month to protect the town from floods that have swept over homes and buildings three times in the past four years. The Utah Permanent Community Impact Fund Board suspended its rules to immediately release a $260,000 grant to replace an inadequate bridge that crosses Bull Creek with a new box culvert. Grant money also was used to dredge 3,500 feet of the creek to increase channel capacity.

"Right now, there's not enough carrying capacity to move the water," said the board's Keith Burnett. "What this project will do is get all the water into the channel so it won't flood the town."

Work on the diversion dam will take much longer.

An assessment report is expected to be completed by the end of March, and construction designs could be submitted by April or May, said Ron Davidson, assistant state conservationist with the conservation service. It is hoped that the diversion dam might be completed by next spring.

For their part, the Albrechts will ride out what could be a dry season. Ronnie Albrecht works in a road crew for the Utah Department of Transportation, and his wife has a job at the U.S. Post Office in Hanksville to supplement their farm income.

Perhaps there will be enough rain for a first cutting of their alfalfa crop. What hay they had stored before the flood was too moldy to sell, feed their cattle or help make payments on their farm.

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The Albrechts faced losing their farm after a once-in-200-years storm hit the town on Oct. 6, destroying the century-old diversion dam. Also lost was 2,700 feet of canal, 16,000 feet of fences and 930 acres of alfalfa. Ranchers got some

See **HANKSVILLE**, C6

Dawn House/*The Salt Lake Tribune*

Ronnie and Tracy Albrecht are afraid they will lose their Hanksville ranch if they cannot get irrigation water.

Hanksville faces dry spell without dam

➤ Continued from C1

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dawn@sltrib.com

deseretnews.com

Deseret Morning News, Tuesday, February 13, 2007

Ranchers, politicians celebrate water victory

By Joe Bauman
Deseret Morning News

Ranchers, lawmakers, county commissioners and the lieutenant governor celebrated Monday, following the Legislature's unopposed passage of a resolution about the Utah-Nevada groundwater issue.

HJR1 passed the Senate by 26-0, three not voting, and the House by 73-2, two not voting. The measure concerns plans by the Las Vegas Water District to pump underground water from two aquifers and send it to the Las Vegas area. One of these is in Snake Valley, whose water is both in eastern Nevada and western Utah.

The Snake Valley project would use about 27,000 acre-feet of water, which worries ranchers and conservationists concerning the impact on resources in both states.

The resolution calls on Gov. Jon M. Huntsman Jr. to consider the consequences of the project, involve the citizens in any agreement with Nevada and "refrain from entering into the ... agreement with Nevada until scientific studies have been completed."

Cecil Garland, a rancher from Callao, Juab County, who has headed opposition to the project, said the western desert region does not have a surplus of water — "we have a deficit."

Drought and use of the aquifer already are impacting the land, he said. Garland expressed a wish for "a return to a wetter cycle" of weather.

Meanwhile, the resolution — with its call for involvement by local residents in decision-making — sets a precedent for future decisions, he said.

Members of the Millard County Commission presented Lt. Gov. Gary R. Herbert a copy of the resolution "on behalf of Millard County and all the counties in western Utah," said Daron Smith, Millard County commissioner. A bill in the Legislature seeks $2 million to fund a drilling project that will help determine the extent of the groundwater, he added.

The issue "means the world to us," said fellow Millard County Commissioner John Cooper. "Water is king."

Herbert said he and Huntsman are doing what they can to develop water and "conserve what we already have. ... We are committed to make sure that Utah's water is protected. We want to make sure the science is done appropriately."

Dean Baker, who lives in Baker, Nev., and farms on both side of the state border, said springs are dried up and vegetation is dead in parts of Snake Valley where underground water is pumped. But the amount that's used, he said, is only "a drop in the bucket" compared with the Nevada project.

E-MAIL: bau@desnews.com

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Snake Valley

Proposal: No water deal until study is done

By Joe Baird
The Salt Lake Tribune

Salt Lake Tribune

Article Last Updated:02/13/2007 01:13:39 AM MST

HJR1Encourages more study of Utah-Nevada water deal.
Next step: It is done.

Utah lawmakers are in unanimous agreement: There should be no deal with Nevada to share groundwater resources along the state line in Snake Valley until ongoing scientific studies are complete.

The question now is, can they make the nonbinding resolution stick?

Lawmakers, Millard County commissioners and West Desert ranchers and business owners gathered Monday at the Capitol to celebrate final passage of HJR1. The legislation calls on Gov. Jon Huntsman Jr. to refrain from signing any water-sharing agreement with Utah's next-door neighbor until studies being conducted by the Bureau of Land Management and U.S. Geological Survey are finished, perhaps by 2008. Language added to the resolution in the Senate now makes those requirements specific.

Millard County Commissioner John Cooper calls the resolution a strong message that he and other backers hope will resonate across the state line. The Southern Nevada Water Authority has proposed pumping groundwater in eastern Nevada as part of a massive pipeline project to provide water to Las Vegas.

"It's just a resolution but it's unanimous, and that carries great weight," Cooper said. "This says that our water rights must be protected and that the science must be done. There can be no deal until that happens."

But Monday's message was also at least partially directed at Huntsman, whose Department of Natural Resources has been engaged in negotiations with Nevada on a Snake Valley water deal since last year. Huntsman has publicly pledged to protect Snake Valley water rights, but the fear among West Desert residents is that an agreement will be signed before federal studies are completed.

Lt. Gov. Gary Herbert, who took part in Monday's news conference, would not rule out that possibility, saying a scenario could yet emerge that would be to Utah's benefit.

But he believes the resolution helps Huntsman in dealing with Nevada.

"This makes our position all the more clear as we go forward," Herbert said. "It says that our Legislature is up to speed on this, and they're watching."

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deseretnews.com

Deseret Morning News, Monday, February 12, 2007

Study of dam expansion urged

Associated Press

As engineers continue to fix a leak in the Willard Bay dam, two Utah congressmen have renewed a push to study a dam expansion.

Sen. Orrin Hatch, R-Utah, and Rep. Rob Bishop, R-Utah, have reintroduced legislation to consider raising the height of the 14-mile-long Arthur V. Watkins Dam. Raising the dam would increase water capacity and potentially solve some of Utah's future water problems.

"Everyone knows we need more water in Utah, and our state can't grow and survive without it," Bishop said in a news release. "Taking a look at increasing the height and capacity of this reservoir just makes sense. Raising the dam a few feet may seem like a small thing now, but it could reap huge rewards down the road in getting us the water we need."

Bishop and Hatch proposed similar bills during the last Congress. Bishop's bill passed, while Hatch's Senate measure stalled. With the Democrats now in control, the congressmen are starting anew.

An expansion feasibility study would consider how to raise the level of the dam by several feet. Every added foot increases the storage capacity of the bay by another 10,000 acre-feet of water.

Raising the dam could be complicated, however, by a leak discovered in the structure last year. Engineers temporarily plugged the leak and released 95,000 acre-feet of water to expose the leak. They've determined the leak was actually water seeping through the foundation sediment, not the dam itself, Weber Basin Water Conservancy District Tage Flint said.

"They are currently designing a fix ... and the fix will likely be short term so we can store just a little bit of water, and a long-term fix to allow us to go back to full storage," Flint said.

deseretnews.com

Deseret Morning News, Sunday, February 11, 2007

Navajo Reservation gets state grants for projects

Navajo Mountain recently received $5,500 to help purchase a backhoe to help alleviate the southern Utah community's ongoing water crisis.

The funds are part of $65,437 in grants recently approved by the Navajo Revitalization Fund Board for projects on the Navajo Reservation in Utah.

The fund receives allocations from state severance taxes collected from oil and gas companies operating on Navajo lands.

"The board is anxious to help with the needs of the Navajo people, especially continued assistance for the ongoing water crisis at Navajo Mountain," Gordon D. Walker, director of the Division of Housing and Community Development, said in a statement.

Other grants awarded include: $14,356 for power and telephone line extensions in Mexican Water; $15,000 for new housing materials in Olijato; and $30,081 for materials and labor to build eight new homes in Teec Nos Pos.

deseretnews.com

Deseret Morning News, Friday, February 09, 2007

County needs Lake Powell pipeline by 2020, official says

By Nancy Perkins
Deseret Morning News

ST. GEORGE — Washington County is growing at such a phenomenal rate that water management officials predict water supplies will "run out" by the year 2020 unless the state constructs the Lake Powell pipeline.

"The need is driven by the rapidly growing municipal and industrial water demands. Agricultural water demands are declining," said Eric Millis, deputy director of water resources for the Utah Division of Natural Resources, during a presentation Thursday to the Utah Bankers Association meeting in St. George. The group spent Thursday and Friday discussing the region's future when it comes to agriculture and water supplies.

Washington County's water supply of 72,000 acre feet will only last another 13 years, serving about 200,000 residents, according to Ron Thompson, manager of the Washington County Water Conservancy District. There are about 115,000 people living in Washington County now.

"They do have some other projects coming on line and there is some conversion of agricultural water and even some reuse, but Washington County will need this water supply over time," Millis said. "We think it will take until 2020 to complete the Lake Powell pipeline project."

The Lake Powell pipeline project consists of about 120 miles of 66-inch pipe that would draw water from Lake Powell using a pumping station placed immediately upstream from Glen Canyon Dam. From there the pipeline would deliver about 70,000 acre-feet of water to Sand Hollow Reservoir near Hurricane in Washington County.

A turnout along the way would provide 10,000 acre-feet of water to Kane County. The cost of delivering that untreated water would be about $35(per acre-foot, Millis said.

Another 38 miles of 30-inch pipe could move another 20,000 acre feet of water from Sand Hollow Reservoir on to Iron County, although the uphill route would mean more expensive water for the area.

"It would take a number of pumping stations to get the water up to Cedar City, and the cost could approach $1,000 an acre foot," Millis told the association members.

The entire project, which is still in its initial planning stages, is estimated to cost more than $500 million.

"We expect there will be legal challenges," said Millis. "We expect it will have its detractors such as those opposed to growth and those who want to drain Lake Powell. There are some legitimate and not-so-legitimate environmental issues. People get uptight about the cost and how the state i going to pay for it."

Millis said the pipeline is a state-developed and state-funded project.

"This is Utah's first (state-funded) major water project. It is beyond the means of these three districts to pay on their own, so the state is stepping in," he said.

Federal assistance is a "remote option" that is not seen as a reliable source of funding, Millis added.

Eventually, water districts in Washington, Kane and Iron counties are expected to repay the state for their share of the project.

Gov. Jon Huntsman signed the Lake Powell Pipeline Development Act last year, which directed the state Board of Water Resources to develop the project, Millis said.

"The urgency to begin this project is real,' he said.

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Two districts tardy with plans for saving water

The Salt Lake Tribune
Salt Lake Tribune

Article Last Updated:02/09/2007 12:49:12 AM MST

Only two of Utah's water agencies have failed to submit water-conservation plans, according to the state Division of Water Resources. West Corinne Water Co. in Box Elder County and Woods Cross Municipal Water failed to submit plans showing how they plan to conserve water, a news release said. The Water Conservation Plan Act requires every water-conservancy district and retailer with more than 500 drinking water connections to submit such plans and update them every five years. The plans are part of the state's goal of reducing per capita water use by 25 percent through 2050. Since 2000, per capita use has dropped by 14 percent, the Division of Water Resources said. Phone calls to West Corinne Water Co. and Woods Cross Municipal Water on Thursday were not immediately returned. The division said West Corinne Water Co. has just begun evaluating its supply system and plans on adding a water-conservation component. Woods Cross Municipal Water is aware of the need to produce a plan, the division said in the news release.

- *Kristen Moulton*

City declines to purchase water
By MEG CADY
mcady@thespectrum.com

CEDAR CITY - The Cedar City Council declined a deal Wednesday night for 1,420 acre feet of water.

The $5.68 million deal would have provided enough water for about 1,300 additional city connections. The water is currently used for agriculture.

Councilors declined the water because the seller wanted to close the deal and receive a $2.5 million down payment by Friday.

"We don't want to buy something we're not certain of," said Mayor Gerald Sherratt.

Councilors said at a special meeting on Friday they wanted to buy the water rights, but not in a rushed deal. They wanted the seller to provide a title report, title insurance, a usage report and the oldest priority dated shares.

Also during the city council meeting Wednesday, councilors reviewed the city's sign ordinance, looked at revisions to the budget, and considered unfavorably two amendments to the general plan.

Signs

City Manager Ron Chandler went over the changes he made since the council's Jan. 25 special meeting.

Some of the changes included a provision that prohibits signs with words or pictures of an obscene nature, limiting the total number of signs on a property to two, limiting billboards to industrial zones only, expanding the historic downtown district and requiring external lighting for all downtown signs.

Ray Draper, of the Young Electric Sign Co., said his biggest concern was limiting billboards to industrial areas; he said most cities allow them in commercial areas as

well.

Chandler changed the proposed ordinance because allowing billboards in both zones would allow for more billboards, and the city wants to allow fewer.

Draper and Justin Jenkins, of Rainbow Sign & Banner, said they would like another public meeting before the council makes their decision.

"I would appreciate it if we had another meeting and go over the fine points before another city council meeting," Draper said.

Jenkins agreed, noting that while the ordinance is headed in the right direction, he still has a list of 40 or so details he wants to go over.

Councilman John Westwood said they really need more input from business owners and residents, not sign salesmen.

Chandler said he would schedule another public meeting for Friday.

Other business

City Financial Director Jace Bunting provided a list of 17 revisions for the budget, including grants and other items that carried over from unfinished projects in last year's budget, he said.

The changes included an additional $1 million for the general fund, $1.1 million for the park impact fee fund, and a $4.3 million carryover for the Coal Creek Parkway project.

Councilors looked unfavorably at two requests to amend the general plan, both of which would allow for high-density residential.

Councilors agreed they face tough decisions. They understand developers are in a crunch to build on their property, but they're hesitant to change the general plan.

"I'm against changing the general plan right now," Westwood said. "You could open the floodgates."

Councilwoman Jolene Goff agreed both requests were in areas where low- or medium-density is a hard sale, but they're in target areas that will be specifically addressed in the update process.

"This is one of those difficult things that only we can answer, I guess," she said. "I'm not inclined to amend the general plan while we're going through a general plan update."

Councilors will make a decision on the amendments during their next meeting.

Originally published February 8, 2007

Friday, February 09, 2007

No water shortage amid drought [Print]

CALEB WARNOCK - Daily Herald

Utah County is in a drought, but faucets and spigots will flow all summer thanks to brimming reservoirs.

Snowpack in the Provo River drainage, which supplies drinking and irrigation water to northern Utah Valley, is at its lowest point in a decade, said several state and local water officials on Thursday. Snow levels at the headwaters of the Provo River are only 52 percent of average.

A very low spring runoff is expected, said Keith Denos of the Provo River Water Users Association.

The good news is that reservoirs are full, thanks to wet winters over the past two years, said Harley Gillman, president of the Provo Reservoir Water Users Company. That means there should be no water shortages this summer.

"We are probably OK because the reservoirs are filling well, but we are hurting at the upper Provo River, and Trial Lake, which is the headwaters of the Provo River," he said. "I understand the snowpack is half of what is should be."

"If we didn't have reservoirs, then it would be a whole different story," said Daryl Devey of the Central Utah Water Conservancy District, who noted that Jordanelle, Deer Creek, and Utah Lake will all be at or near full after the spring runoff. The reservoirs and lake are used for drinking water, residential pressurized irrigation, and irrigation for farms in Provo, Orem and many cities in north Utah County.

That "paints a pretty rosy picture, but if it weren't for those reservoirs, I would be speaking doom and gloom," he said. "The reservoirs are really important. Without that carry-over storage we couldn't survive in the desert."

It is impossible to predict whether this drought pattern will continue next winter, but if it did, "we would be pretty cautious at that point," he said. "You always get nervous when it's as bad as this year."

It is also impossible to foresee whether the low snowpack means Utah's seven-year drought, which ended in 2005, is returning, said Randy Julander of the National Resources Conservation Service. There is only a 3 percent chance that snow levels will return to average between now and April 1.

On the positive side, there is an 80-90 percent chance that snow levels will rise at least a little from the current low level before April 1, he said.

"If you get no snow, you ain't going to get any water," Julander said.

Residents may "whine and cry big alligator tears," he said, but it will be reservoirs, not pleading, that will save cities from shortages.

Warm and dry weather from now through summer "would be the worst of all possible situations," he said.

"Temperatures have warmed up considerably in Utah Valley this week," said David James, overseer of the Brigham Young University weather station. "Some bench locations have actually reached into the lower 60s while most other spots have been in the 50s."

Springville hit 58 degrees on Thursday, breaking the old record for Feb. 8 of 57 degrees, which was set in 2000, he said. The mountain resorts have cooled back to the 30s for highs instead of the 40s and 50s those areas saw last week.

A moist westerly flow will bring an increasing chance of valley rain and mountain snow through early next week, he said.

"The best chances for precipitation will be Friday night and late Saturday through early Sunday," he said. "High temperatures will remain above normal with valley highs in the 40s and 50s. Significant snow will likely be confined to elevations above 7,000 feet and will be good for the mountains."

Caleb Warnock can be reached at 443-3263 or cwarnock@heraldextra.com.

Current and historic percent of normal water in snowpack for the Provo River Drainage on Feb. 8. (National Resources Conservation Service data):

2007: 52%

2006: 133%

2005: 131%

2004: 106%

2003: 58%

2002: 93%

2001: 60%

2000: 66%

1999: 75%

1998: 90%

This story appeared in The Daily Herald on page D1.

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Deseret Morning News, Friday, February 09, 2007

$2M in fed aid going to conservation in Utah

By Joe Bauman
Deseret Morning News

Gov. Jon Huntsman Jr. praised a "very important collaborative effort" that has garnered $2 million in federal funding for water and land conservation.

The collaboration he was discussing during a press conference Wednesday in his offices is the Utah Partners for Conservation and Development. The federal-state-private partners are working on projects such as removing invasive pinyon-juniper trees and sagebrush, replanting the areas with native grasses.

That's believed to have a positive impact on water supply and quality and will help support wildlife, livestock and recreation, according to the governor.

Since 2003, about $25 million has been spent by the partners for the project. This year, $2 million is coming from the Interior Department to help with the effort. About 630 projects are planned.

So far, the "Healthy Lands Initiative" involving the projects has treated 500,000 acres in Utah. Another 81,780 are to be treated next year.

C. Stephen Allred, assistant secretary of the Interior Department, praised "a real opportunity" to improve land and water. He noted, "We have many conflicting uses" on the land. Viewing the landscape as a whole, rather than in terms of property boundaries, can allow agencies to better meet energy security needs while preserving resources, he said.

President George W. Bush's new budget awards $20 million for the projects in the West. Of this, $15 million is for the Bureau of Land Management; $2 million of that will be spent in Utah with cooperation of the partnership, he indicated.

"We can accomplish a great deal here in the next couple of years," Allred said.

Mike Styler, executive director of the Utah Department of Natural Resources, said the partnership is helping the environment. "We're helping the land, we're helping the water," he said. Projects benefit grazing and wildlife, Styler added.

According to Leonard Blackham, Utah commissioner of agriculture and food, the funding is a welcome addition. "It always takes a little money to make something happen, and we're just tickled pink," he said.

House Majority Leader David Clark, R-Santa Clara, said as a banker he recognizes the money as a chance to reinvest back in the land and water. Utah is losing 15,000 acres of agriculture land a year, he added.

Lorraine Januzelli, public affairs officer for Wasatch-Cache National Forest, told the Deseret Morning News that last year, a $2 million grant was leveraged so that the amount of useful money became $11 million.

Animals that benefit from the "sagebrush Steppe-Aspen revegetation project" include the greater sage grouse, sage sparrow, pygmy rabbit, mule deer, northern goshawk and Williamson's sapsucker, she said.

The grants will allow the Forest Service to double, and sometimes triple, its efforts, Januzelli added. The agency has identified nearly 400 acres of highly invasive dangerous weeds in the forest.

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deseretnews.com

Deseret Morning News, Thursday, February 08, 2007

2 water companies fail to comply with state act

The Utah Division of Water Resources said Wednesday it has identified two water companies as noncompliant with the Water Conservation Plan Act.

West Corinne Water Co. and Woods Cross Municipal Water failed to submit water conservation plans, as required by the WCPA, the division said.

The act requires water conservancy districts and retailers with more than 500 drinking-water connections to prepare water conservation plans and submit them to the division. The requirement covers systems that provide water to about 93 percent of Utah's population. The act also stipulates that water conservation plans are to be updated and resubmitted every five years and noncompliance is to be made public.

The division said West Corinne Water Co. recently began evaluating its supply system and plans to add a water conservation component to its evaluation in the near future. Woods Cross Municipal Water is aware of the need to produce a plan, the division said.

deseretnews.com

Deseret Morning News, Thursday, February 08, 2007

Officials in Toquerville seek water-tank vandals

TOQUERVILLE, Washington County — Police are looking for whoever shot at a tank that supplies water to this southern Utah community. On Sunday, Washington County sheriff's deputies said they found water spraying out of two bullet holes in the Westfield water tank. Witnesses claim to have seen several teenagers shooting rifles in the area, leaving in a Ford F-350 extended-cab truck.

Deputies said the bullet holes caused extensive damage to the tank. A half-million gallons of water will need to be drained to repair it.

Anyone with information should call 435-656-6500.

City pursues water acquisition
By MEG CADY
mcady@thespectrum.com

CEDAR CITY - Cedar City is working through negotiations to purchase 1,420 acre feet of water for $4,000 a share.

Councilors want to pursue the shares, but they're leery because the seller set a tight timeline to seal the deal.

"I'm not prepared to let them or anyone else dictate our sched
Dale Brinkerhoff. "I'm not gonna be out on a limb."

City Manager Ron Chandler said the seller, whom he won't ide
million down payment, to complete the contract by Feb. 9, and
remainder of the $5.68 million within 30 days.

City Financial Director Jace Bunting said the city has the $2.5
and could pay the entire amount from the capital improvement
itself with a 20-year bond.

Funding

Councilors agreed at a special meeting Friday morning to mov
negotiations as long as the seller can provide sufficient inform
and let the city take the time it needs.

Chandler said the city went to the state Community Impact Bo
municipal projects like infrastructure, flood control or fire departments, on Thursday.

However, CIB denied the city's loan request for $5.68 million.

"We have several theories as to why, but we believe they (CIB) don't want to get into water acquisition," Chandler said.

Alan Westenskow, vice president of Zions Bank's public finance department, said the city should have no problem bondin

He believes because the city is a strong entity, it will get plenty of attractive offers and could probably secure an interest r
That process could take as few as five weeks.

"We don't think you'll find a problem with selling these bonds," he said.

Westenskow noted the city can't meet the seller's timeline with a bond, but councilors can finance the deal internally and

Deal details

Councilors said they want to pursue the water rights, but they don't want to be rushed into a decision.

They also want to have the seller provide a title report, title insurance, a usage report and the oldest dated water shares. shares range from 1942 to 1963; because the basin is overallocated, the city is safer with older shares.

"It's the best we can do," said Councilwoman Nina Barnes. "He's not going to get his money faster anywhere else."

Chandler said at this point, the city plans to take the full 20 years to pay back the bond. It will not affect taxes; the city will fees required under the city's water ordinance for dry property.

The 1,420 acre feet is currently used as agriculture. The city will put it into its culinary system so it doesn't have to file for

The city owns some 16,000 acre feet of water with $2,700 in water irrigation rights; the additional 1,420 acre feet will prov additional 1,300 to 1,400 connections.

One acre foot of water is equivalent to 325,851 gallons, which will serve about four people for a year at the Cedar City av per person per day.

"Our water is our most precious resource," Chandler said.

Originally published February 3, 2007

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To form water entity, Cache contracts with ex-lawmaker

The Salt Lake Tribune
Salt Lake Tribune

Article Launched:02/02/2007 01:48:27 AM MST

LOGAN - Cache County officials, eager to establish a "water entity" to manage the valuable resource in northern Utah, are tapping into a deep well of political knowledge.

The county has signed a contract with former Rep. Evan Olsen "to pay a consulting fee of $2,500 per month, plus expenses for services . . . The consulting fees charged by Olsen will not exceed $10,000 without approval in writing by the county."

Olsen's "main activity will include bringing the municipalities, water companies, canal companies and other water interests together and develop wide and common support for the water entity to be established," the contract states.

Said Olsen: "We're really the only populated county in the state that doesn't have a water-conservancy district. I don't know if that's the answer, but we've got to do something."

A special election ballot proposal establishing a water-conservancy district in Cache County failed to pass in 1999.

- *Arrin Newton Brunson*

Thursday, February 01, 2007

Alpine considers higher water rate

| Print |

CALEB WARNOCK - Daily Herald

Getting drinking water to a new home in Alpine may soon be much more expensive.

Citing rising costs, City Council members on Tuesday proposed to adopt a 400 percent increase for new culinary water connections, a 130 percent increase per 10,000 square feet of lot for new pressurized irrigation connections, and citywide increases for existing pressurized irrigation users based on lot size.

"We were that low?" said Councilman Kent Hastings, letting out a low whistle upon hearing the proposed increases.

Mayor Hunt Willoughby instructed city staff to put the proposed increases into an "easily readable form" in advance of a public hearing on the issue at 7 p.m. on Feb. 27 at Alpine City Hall, 20 N. Main St. Information on the proposed increases will be available at City Hall for two weeks before the meeting.

The increases are necessary because the areas of the city where it is cheapest to provide water service have mostly been developed, leaving the more difficult and more expensive areas for future homes, said city engineer Shane Sorenson. Existing city rates did not anticipate the expense of service to these areas.

"Basically a lot of the property left to develop is in the upper end of our pressure zone," he said. "Before, we had some estimates of where we could serve, and they [the developers] have gone higher."

In addition, "people are using more water than what we had anticipated, which has had an affect on the pressure on the west side of the city," he said.

Alpine has a population of 9,937, and that is expected to increase by 49 percent, to 14,765, by 2030, according to a city staff report. This will add 1,199 connections to the water system as 977 acres in and around the city are developed.

The rate increases were based on a rate study conducted by Horrocks Engineers, and prices had not been updated since construction costs started to rise dramatically several years ago, Sorenson said.

"With the advent of the secondary system, we took a huge load off the culinary system and didn't need to improve the culinary system, but now with these developers pushing up the mountain, it puts more strain on the system," said John Schiess of Horrocks Engineers.

The city should have been raising the rates to keep up with inflation and rising construction costs, he said.

"You need to look and update that for inflation every year," Schiess said.

The proposed fees include money to do an annual study to recommend inflation adjustments, and another major study of rates in five years "to make sure we are where we need to be," Sorenson said.

The council could pass an ordinance requiring the fees to be adjusted automatically each year according to inflation, said city attorney David Church.

"The trouble with that is getting the staff to remember to do that," he said. "Someone will need to remind them to calculate that each year."

"At least this way if you do it incrementally, it is not such a big hit," Hastings said.

"I have always felt that development needs to cover its own cost," Willoughby said. "We need to make adjustments that cover the cost of providing service, but we also need to have in effect plans so that we don't have to do such a jump in the future."

Caleb Warnock can be reached at 443-3263 or cwarnock@heraldextra.com.

Proposed Alpine rate increases (data from Alpine city):

Existing culinary water impact fee per connection: $225

Proposed rate: $1,123

Existing pressurized irrigation impact fee per 10,000 square feet of lot: $728

Proposed rate: $950

Existing average pressurized irrigation monthly rate per 10,000 square feet of lot: $9

Proposed: $10.20

This story appeared in The Daily Herald on page C1.

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County wading through water issues

By Charles Geraci

Former Utah Rep. Evan Olsen will be wading through Cache County's water issues, and officials are hoping the experienced lawmaker can facilitate consensus on a water management entity.

The terms of Olsen's recently finalized contract with the county were released to The Herald Journal on Friday.

Over the next four months, the county will pay Olsen $10,000 plus expenses to help determine how it should handle future water needs. Olsen will meet with each of the municipalities in Cache County, as well as local canal companies, water companies and those who own water shares in the valley.

"He will try to get them to all come together as far as what we should do in relationship to a water entity and developing water," said County Executive Lynn Lemon.

In addition, Olsen will coordinate with water conservancy districts in the state. Earlier this month, Olsen told the Cache County Council that it is time to take water issues "into the political arena."

Lemon noted the Weber Basin and Jordan Valley water conservancy districts "have already planned ahead, and they're looking at developing the Bear River. They've said to us, 'What does Cache County want to do?'"

Cache County Councilman Craig Petersen said hiring Olsen is a "stop-gap measure."

"We still need to look for a long-term solution regarding having someone in charge and creating an entity," Petersen said, noting a water conservancy district may not be an option since it has been voted down by residents in the past.

Petersen said a viable alternative could be looking to a water expert at Utah State University.

"Utah State has some of the most knowledgeable people on water

Senate Prewar Intelligence (9/2006)
Pentagon Report Iraq, (8/2006)
Congressional Report on Appropriations, (4/2006)

issues in the world," he said. "Maybe there is someone at the university who could perform that function."

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The Herald Journal's Web site now allows readers to post comments on local news stories. At the end of each article there is a for where readers can type their name and comment regarding the article.

In inviting reader comments on the day's news, The Herald Journal is hoping to promote a largely uncensored and free-flowing dialogue among readers. However, any comments deemed potentially libelous or obscene will be removed from the site, as will any entries appearing to promote a commercial venture. The IP address of any person posting a comment is logged and any comments of a criminal nature, such as personal threats or unfounded personal accusations, may be referred to law enforcement.

To Bob wrote on *January 29, 2007 11:48 AM*:"The article said 'former' representative. So he is no longer an elected official. But on another note, did you vote in the last election? The percentage of Cache Valley citizens who voted in the last election is very very dismal. Its amazing that we send soldiers to fight in Iraq to give Iraqis the right to vote and most Americans cant drag their butt off the couch come election day. Sad, sad."

Bob wrote on *January 29, 2007 10:32 AM*:"How do these people get elected?!?!"

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Daily Herald YOUR TOWN YOUR NEIGHBORS YOUR NEWSPAPER

Sunday, January 28, 2007

Sierra Club gives tour to save wetlands

CALEB WARNOCK - Daily Herald

"The real sleeping giant UDOT will be facing soon is the community of Lehi, because they do not want to be the sacrificial zone for a new freeway."

So spoke Marc Heileson of the Sierra Club on Saturday after giving 40 Utah County residents a walking tour of wetlands along Utah Lake that the environmental group says will be impacted by the proposed Mountain View Corridor freeway.

At the end of the tour, those in attendance were encouraged to send letters protesting the freeway to UDOT and the U.S. Army Corps of Engineers.

Again and again as the group braved bitter temperatures to trudge through ice and frozen marsh grasses to see wetlands, concerns surfaced about the impact of the freeway on their homes and property.

Claude Lamph said he owns a 160-acre farm on the shore of Utah Lake near American Fork which will be bisected by at least one of the proposed routes for the 320-foot-wide freeway. The farm has been in his family for more than 100 years, but could now be taken by eminent domain, along with four homes of family members, leaving the remaining farm split into thirds, he said.

"Once its gone, its gone," he said, pointing to the marshes and farmland. "You need have an area that is left natural where you can go to jog, ride a bike, or catch a fish in a creek."

In addition, remains of Native American camp sites on the land would be destroyed, said his son, Tyree Lamph.

"This is one of the finest urban wetlands in the nation," said Gordon Lind of the Sierra Club, noting that millions of birds rely on the site as a rest stop on their migration route. "It's large and its pretty much untouched."

Pat Bunjes of Eagle Mountain said she is concerned by the environmental impacts, but also because property she owns would be impacted by the new road. Entire neighborhoods could suddenly find themselves living next to a major thoroughfare,

http://www.heraldextra.com/content/view/208357/4/

significantly decreasing their property value and safety while increase noise levels.

Lyle Gomm of Lehi said he is part of a nascent grass roots organization opposing the freeway. The group will begin holding regular meetings next month.

According to UDOT's Web site, four sites are being considered for the freeway.

"Concerns have been raised regarding the proximity of the alignment of the southern freeway alternatives to Utah Lake," said UDOT officials in a statement on the Web site. "UDOT is now analyzing potential alignment shifts that may have fewer wetland impacts but would instead have different impacts to the local communities than current alignment options."

The freeway is necessary because of growth in Eagle Mountain and Saratoga Springs, as well as Traverse Ridge, but residents of Lehi, American Fork and unincorporated county areas will be forced to give up their property if the freeway is built, said the Lamphs and Heileson.

Pointing to the filthy air over Utah Valley, Heileson told those gathered that Saturday was the perfect day to illustrate why mass transit should be considered before more freeways.

"Even if the road misses your house, the air will hit your kids," he said. "We need to say 'Let's make changes now, let's do something better.' "

Heileson also said he was disappointed that UDOT officials "had learned nothing" from the environmental fight with the Sierra Club over Legacy Highway.

Mass transit, combined with a much smaller system of new roads, should be brought to Utah Valley as soon as possible, he said, and a spur route or bus-rapid transit system should be extended to Cedar Valley to lessen the traffic coming from Saratoga Springs and Eagle Mountain.

Caleb Warnock can be reached at 443-3263 or cwarnock@heraldextra.com.

This story appeared in The Daily Herald on page B1.

Daily Herald YOUR TOWN YOUR NEIGHBORS YOUR NEWSPAPER

Saturday, January 27, 2007

Residents file protests to keep water in Utah county

PDF | Print | E-mail

Daily Herald

Caleb Warnock

More than 1,350 residents of Highland, Lehi and Alpine have filed protests with the state Engineer's Office over a proposal to pump water from Utah County and pipe it to Salt Lake County.

In December, Lehi and Highland mailed thousands of letters asking residents to send formal protests to the state engineer calling for a halt to a proposal that would allow the Jordan Valley Water Conservancy District and East Jordan Irrigation Company -- both based in Salt Lake County -- to drill six wells in north Utah County.

Alpine did not mail residents but made blank protest forms available in city offices.

"I don't know if this is a record, but it is very unusual," said John Mann of the state Engineer's Office about the volume of letters. "We don't usually have city engineers encouraging residents to protest, either."

The state engineer will now decide whether to hold a public hearing on the matter or simply make a decision about the proposal without a public hearing, Mann said.

The state has commissioned the U.S. Geological Survey to do a study of water tables in north Utah County and no decision on the proposal is likely before that study is completed, he said.

"It is unlikely that any hearing or additional action on these applications will be taken within the next six months or so," Mann said. "Assuming a hearing is held, we will do our best to accommodate those who would like to attend."

Jordan Valley Water Conservancy District received a copy of all 1,350 protest letters on Thursday, said Richard Bay, the district's chief engineer.

"We haven't had a chance to look through them and digest them yet," he said, noting the next step in the process is for the district to submit a response to the protest letters to the state engineer's office within the next few weeks.

http://www.heraldextra.com/content/view/208281/4/

"I think I understand the concerns of the cities and the residents, and we will be very respectful of the cities' concerns and of residents' concerns, and we will try to respond in a reasonable fashion with the best information we have," he said.

"We were pleased because what they are trying to do just cannot be done," said Lehi Mayor Howard Johnson about the volume of protest letters. "They would have had four times as many if we had a little more smarts and time."

"Obviously we are pleased that there are as many people that have concerns as this would demonstrate," said Highland city administrator Barry Edwards of the letters. Highland will now wait for the state to call a hearing.

Alpine too is pleased with the public response and will wait for word of a public hearing, said city administer Ted Stillman.

The number of protests filed by Utah County residents will not be a factor in whether a hearing is held, Mann said.

"It is not a popularity contest," Mann said. "The number of protests doesn't affect the decision to hold a hearing. The merit of the points raised is what we consider."

The proposal would allow Jordan Valley Water Conservancy District and East Jordan Irrigation Company to pump more water out of north Utah County than is used by all north Utah County cities combined, Edwards has said.

The proposal isn't new. The district purchased land in Utah County on which to drill wells more than a decade ago, and filed several applications with the state asking for permission to drill wells but stepped back from those applications after the state received 700 letters of protest. District officials say their water rights date from 1870.

If allowed, the proposal would "drastically affect our ability to use and obtain water from that ground water strata," Lehi city engineer Lorin Powell has said.

Caleb Warnock can be reached at 443-3263 or cwarnock@heraldextra.com.

This story appeared in The Daily Herald on page D1.

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Mercury threat spreads across Utah

Anglers, beware: Latest tests show dangerous chemical in fish statewide

By Judy Fahys
The Salt Lake Tribune
Salt Lake Tribune

Article Last Updated:01/26/2007 02:56:15 AM MST

New tests show that mercury contamination is widespread in fish throughout Utah, including 14 areas where it is higher than federal standards, state officials said Thursday.

But they caution that further review or more testing is warranted before advisories to limit the amount of fish eaten are issued beyond the three now in place.

"This shows the problem is ubiquitous," said Cheryl Heying, a member of the Statewide Mercury Work Group and a state air-quality official. "And there are hot spots."

John Whitehead, assistant director of the Utah Division of Water Quality, said more than a dozen areas around the state - many of them favorites among fishermen, like Jordanelle Reservoir, the Weber River, Joes Valley Reservoir and Panguitch Lake - have been identified as mercury hot spots.

"This is one of our major concerns," said Whitehead.

Other popular fishing waters where at least some fish were above the federal mercury limit (when averaged, they fell below) include: Strawberry Reservoir, Deer Creek Reservoir, Bear Lake and Scofield Reservoir.

The Utah Health Department is going over the results of mercury tests on nearly 821 fish taken from 139 locations around the state. On average, they found that 12 percent of the fish sampled contained mercury above levels considered safe for unlimited consumption by the U.S. Environmental Protection Agency.

Whitehead said it will be about a month before the state Health Department finishes reviewing the data and decides what sort of advisories are in order, if any.

"If you look at the data set, it's pretty clear some of these sites have a pretty clear conclusion and some are questionable and need further sampling and analysis," he said.

The advisories are intended to protect people from ingesting too much mercury in its toxic form, methylmercury, which is a neurotoxin. The advisories usually target women of childbearing age and young children, who, if exposed to too much mercury, may suffer impaired brain function that can result in difficulty thinking, talking and/or remembering.

Methylmercury builds up in the food chain and eating contaminated meat is thought to be the most likely way for people to be affected.

Utah officials already have issued consumption advisories for three fish - channel catfish from the Green River in Desolation Canyon; largemouth bass from Gunlock Reservoir in Washington County; and brown trout from Mill Creek in Grand County - and three Great Salt Lake ducks, the common goldeneye, northern shoveler and cinnamon teal.

One question making it difficult for the state to decide on more advisories is that in some sites there have been too few fish sampled to determine scientific certainty that they contain mercury above levels considered safe.

Walt Donaldson, chief of aquatics for the Utah Division of Wildlife Resources, says he would like to see a larger sample size from each of the sites.

"A sample size of three to five fish is not enough to indicate an area of concern," he said. "We would like to [look] at 30 or more fish for a broad spectrum. That would allow us to look at young fish and old fish and develop a solid average."

Ed Kent, chairman of the Utah Anglers Coalition, said he was not surprised with the announcement of the new mercury hot spots.

"This is a known persistent problem in other parts of the country. Even though it is still in its infancy here in Utah, as far as the discovery of it, I'm not sure it will have an impact on the fishing industry," Kent said. "We just need to be sure to educate the public and let them know the risks."

Collecting and processing samples costs about $50 apiece with a new mercury analyzer the state bought about a year ago. And, with no additional funding to address this relatively new issue, the agencies have been limited in the number of samples they process.

Last year, the EPA turned down a state request for about $95,000 to help understand mercury in the Great Salt Lake, where methylmercury levels are some of the highest ever measured in the United States. Gov. Jon Huntsman Jr. has requested $213,600 in his 2008 budget proposal specifically to deal with the mercury problem, including tracking down the sources that might be responsible for the contamination.

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Land and water may win: Conservation, agricultural groups join together on bill

By Joe Baird
The Salt Lake Tribune
Salt Lake Tribune

Article Last Updated:01/26/2007 02:47:33 AM MST

The long, often polarizing debate about preserving open space, farmland and watersheds in Utah may be on the verge of a breakthrough.

Conservation and agriculture groups - including the Utah Farm Bureau - have united behind a plan to divert a portion of oil and gas mining severance taxes to create a land and water reinvestment account.

A legislative committee on Thursday strongly endorsed the bill, sending it to the full House, where it appears to be well positioned for passage. The sponsor is House Majority Leader Dave Clark.

"Given the period of high growth we're in, this is the right time to be doing this," said Clark, R-Santa Clara.

The bill would distribute funds equally between the LeRay McAllister Critical Land Conservation Fund, the Rangeland Improvement Fund and the Department of Natural Resources for watershed rehabilitation or restoration.

Funds for the new account would be generated by oil, gas and mining severance taxes at the greater amount of 9 percent of revenues or $6 million, annually.

The account would be capped at $15 million. But whatever the amount available in a given year, it creates an unprecedented amount of dedicated funds for the conservation of lands and watersheds deemed critical by a growing spectrum of backers.

Just the fact that Clark is carrying the bill says a lot about how this latest bid to acquire more funding for critical lands may succeed where others - such as the ill-fated 2004 open space ballot initiative, which would have been funded by a portion of sales tax - failed.

The bill cruised out of the House Natural Resources Committee with just one dissenting vote, from Rep. Mel Brown, R-Coalville, the former House speaker.

"I think the message is that things are turning around," said Amanda Smith, government relations director for the Nature Conservancy of Utah, which has largely driven the bill. "The Legislature has determined that it's time to put some money back into the land, not only to preserve critical lands and watersheds, but to help keep rural economies going."

With the Rangeland Improvement Fund guaranteed a cut, HB102 has gotten the support of a wide range of agricultural interests which in the past have opposed such legislation.

"This is a three-pronged approach that addresses everybody's interests in resource development," said Brent Tanner, president of the Utah Cattleman's Association. "This bill, coupled with the grazing improvement program, is probably the most significant piece of grazing legislation we've seen in years."

Bill supporters also hailed the idea of tapping severance taxes to fund the new account, reasoning that funds derived from extraction can now be put back into the ground.

But support for the bill wasn't unanimous. The Utah Taxpayers Association opposes the funding mechanism, and an industry representative from Kennecott Utah Copper was ambivalent.

"We've been supportive of how you spend that money," said Larry Bunkall. "We just hope that you'll be cautious in your thinking when spending those [tax] dollars."

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HB102

Would divert up to $6 million a year from oil and gas taxes to open space preservation
Next step: Moves to the full House

deseretnews.com

Deseret Morning News, Friday, January 26, 2007

Water Week is a winner

Deseret Morning News editorial

In May, sometime around Compost Awareness Week and British Sandwich Week, Ralph Becker — House Minority Leader — would like to sandwich in another seven days of awareness: Utah State Water Week.

Unlike many other celebratory weeks that are set aside to promote an industry or a cause, Becker's notion of a Water Week does hold water. More than a feel-good proposal, the idea of setting aside a few days to contemplate the region's most universal and important resource makes sense.

We urge the Legislature to move the measure along — all the way to the end of the row.

During the week, water-related programming would air on public television and radio, and a web site would be set up as a clearinghouse for concerns, ideas and complaints. Museum exhibits are being considered to show the vital idea of water in the West.

Just looking at how the West has been laid out with cities at the foot of mountain ranges to take advantage of the runoff, or along rivers and lakes, and examining the blood pressure-spiking issues of conservation and the environment, one sees that more understanding and cooperation over water concerns would be welcome. With a little education, half of the increasing demand for water in the state could be met by people simply cutting back on their own unexamined habits. In short, water use is an issue that affects every man, woman, child, animal and plant in the state.

One week, needless to say, is not enough to make a big difference. But like seed money put into a worthy project, a week is enough to jump start interest and get the engine running. From the first seven days, two weeks, a month, a year and a lifestyle may eventually emerge.

"Anyone who can solve the problems of water will be worthy of two Nobel Prizes," President John F. Kennedy said. "One for peace and one for science."

That was true 40 years ago. It's true now.

And a Water Week in May — when the rivers begin flowing and the gardens start blooming — is a good time to remind all Utahns that having enough water is not a right, but a responsibility.

deseretnews.com

Deseret Morning News, Thursday, January 25, 2007

House approves Juab County water resolution

By Joe Bauman
Deseret Morning News

In the words of Juab County rancher Cecil Garland, the state House of Representatives had a choice to make: "crops or craps."

By that, he meant crops grown by residents of his arid Western region, or a Nevada groundwater project that they fear could pipe their water to Las Vegas.

When the dice rolled Wednesday, Las Vegas crapped out.

The House unanimously approved, 73-0, HJR1, which calls for caution on making an agreement to facilitate the Clark, Lincoln and White Pine Counties Groundwater Development Project. The resolution now moves to the Senate.

The Nevada project is intended to extract about 160,000 acre-feet of water yearly from seven areas of that state, piping the water to Las Vegas and Lincoln County.

Spring Valley, which is entirely within Nevada, is to provide 91,000 acre-feet of water, while Snake Valley could provide up to another 27,000 acre-feet, according to the project's concept plan, dated March 2006.

Snake Valley straddles the Utah-Nevada border, and its aquifer may be connected to Spring Valley. The U.S. Geological Survey is studying groundwater resources of the area. The study should be finished late this year.

The Nevada project has drawn vehement objections from Utah and Nevada ranchers and environmentalists, among others. They fear the region on both sides of the border may be dried out by the massive project.

The resolution notifies the governors and officials of Utah and Nevada and the people of the area that the Legislature wants Gov. Jon M. Huntsman Jr. to carefully assess the project's "potential economic, social and environmental consequences in Utah."

It calls for public participation in developing any agreement with Nevada on the water project. Finally, it urges Huntsman "to refrain from entering into an agreement with Nevada until scientific studies are complete to ensure that there is an adequate scientific basis on which to form an agreement."

Rep. Kerry Gibson, R-Ogden, noted during floor debate Wednesday that a group of legislators traveled to the region. "We saw a very important and fragile ecosystem ... that is almost totally, completely dependent on access to that water," he said.

It would be easy for someone to say Las Vegas needs the water "more than a few of those individuals out in Snake Valley," he said. But "we have the right and the responsibility to protect water rights that are owned by our state, to protect the fragile resources of this state."

If sound science backs up the water scheme, "we'll sign an agreement," Gibson said. "But at this point, there's still much to be learned about exactly what that effect will be. I guarantee there'll be some effect."

Rep. Ronda Rudd Menlove, R-Garland, asked if there is a hydrologic link between Spring Valley and Snake Valley.

"There is absolutely," said Gibson. In fact, he said, a deep aquifer runs between the two.

Menlove said she is concerned that what happens in Nevada could impact Utah.

Sound scientific studies must be completed "before we start giving our water away," said Rep. Jackie Biskupski, D-Salt Lake.

Rep. Richard W. Wheeler, R-Ephraim, the measure's sponsor, said the resolution will let people know the Legislature is watching.

Following the vote, the Deseret Morning News contacted Cecil Garland, a Callao rancher who has fought the project strenuously and whose quip about crops and craps was quoted by Wheeler. "I'm really, really pleased with this," he said.

"This is a classic example of government close to the people, reacting to a true need of the people for protection. I would have liked to have seen Spring Valley in this resolution, for the simple reason that it's an integral part and feeds into Snake Valley."

Nevertheless, Garland said, the resolution "conveys the very important message that we need the science before we need to start pumping the water."

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High and dry in Utah

Mountain snow a no-show

Scanty pack brings warnings of drought

By Joe Baird
The Salt Lake Tribune
Salt Lake Tribune

Article Last Updated:01/25/2007 02:48:14 AM MST

The high-pressure weather system that has parked itself over Utah and the rest of the West for most of the winter is taking a toll on the state's snowpack.

The most recent glimpse of snowpack totals in Utah's six major river basins paints a fairly grim picture. After ending 2006 - and the first three months of the water year - with near-normal precipitation, Utah has seen a long dry spell shrivel snowpacks to as low as 64 percent of normal in the north and 69 percent in the south.

What makes this all the more troubling, says National Weather Service hydrologist Brian McInerney, is that the dry weather pattern is occurring in the midst of an El Niño, a weather pattern created by warming water temperatures in the central Pacific Ocean. More often than not under such conditions, the Western U.S. gets plenty of moisture via a warm air flow that pushes up from the southwest.

No such luck this time. Most of the recent storm activity has surged down from the Northwest. And when those systems have hit the ridge of the high pressure sitting over the West, they split to the north and south - leaving everything in the middle high and dry.

"Think of the ridge as a big bubble," McInerney said Wednesday. "That has sent a lot of storm activity into Canada, and Washington and Oregon, which are doing exceptionally well. So are places in the south, like Tucson and El Paso. It's really been this way since November. And we're not seeing anything right now that will change it."

For at least the next seven days the weather pattern should remain stagnant along the Wasatch Front, with foggy, hazy conditions and daytime temperatures in the low 30s and lows in the mid-teens.

Skies are forecast to be clear in St. George, with highs in the low 50s and lows in the low 30s.

The result of this continuing holding pattern, according to McInerney, is a distinctly downbeat snowpack forecast. Not only for the Wasatch Front and the rest of Utah, but the entire Colorado River Basin, which is technically still in a drought that now dates back to the start of the decade.

"If we look at this statistically, the probability of reaching normal snowpack is greatly diminished with the numbers we have," he said. "It's going to be really hard to make up that kind of snowfall in the period of time we have left."

Utah ski resorts, not surprisingly, are hurting.

In the Cottonwood canyons, Alta, Snowbird, Solitude and Brighton all had base totals of less than 60 inches on Wednesday.

The Park City resorts - Park City, Deer Valley and The Canyons - were all under 50 inches.

"I think we're at the point in the season where people are beginning to realize that they need to ski the mountain as it is, because we've now had a couple of long, extended periods without new snow and we're not seeing anything on the horizon," said Snowbird spokeswoman Laura Schaffer.

"But all things considered, things are actually pretty good," she added. "We've had 154 inches of snow [for the season] and the whole mountain is covered. The locals know we're spoiled. We've had over 600 inches in each of the last two seasons. But that's not going to happen all the time."

The ongoing winter drought is not without good news.

McInerney says most of the state's reservoirs are filled above normal seasonal levels and soil moisture remains good after two straight years of normal to above-normal precipitation around the state.

The hydrologist also believes all is not lost. With a good, wet spring, the state could yet recoup some of the snowpack it has lost in recent weeks.

"We can still get a pretty efficient runoff if the spring climate cooperates," McInerney said. "If it shifts to wet and cold, we could yet increase the snowpack 25 percent in our favor because it will keep what's up there longer.

"Really, anything goes. Because this El Niño has behaved so atypically, we don't really have a good feel for what's going to happen the rest of the winter. It's a real unknown."

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Thursday, January 25, 2007

Recycled water could grow grass

| Print |

The Associated Press

SYRACUSE -- Parks and golf courses could become even greener, thanks to toilet water.

The North Davis Sewer District is studying whether treated water can be recycled on land.

"You wouldn't be able to even smell a difference," manager Kevin Cowan said, noting the water would be disinfected and treated with chlorine.

The $50,000 study, which began four months ago, is being conducted by M.W.H. Engineering of Salt Lake City.

Since the 1960s, the district has owned rights to every 15 cubic feet of water per second treated at the plant, or 10 million gallons a day. The state also has rights.

The study will look at the cost of using treated water compared to other sources.

"It's not likely to be cost competitive," Cowan said. "But as water in the future becomes more valuable and scarce, the economics involved would make it cost competitive."

A sod farm near the treatment plant is the most likely place to try it, he said.

The study will identify what needs to occur for the water to be designated for Type 1 uses, which would include golf courses and parks where public access is allowed.

"Water is one of your bigger expenses," Schneiter's Bluff Golf Course owner Jon Schneiter said.

The greatest expense likely will be pumping the water from the treatment plant to users, he said.

"It's all going to come back on the cost of delivering it," Schneiter said.

If the water gets used at the golf course, Schneiter said he would post signs telling people not to drink it.

More than 20 million gallons flow daily through the Syracuse treatment plant in Davis County.

This story appeared in The Daily Herald on page C1.

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Deseret Morning News, Saturday, January 20, 2007

Salt Lake City buys and reopens Donut Falls

By Doug Smeath
Deseret Morning News

Donut Falls, a popular hiking destination in Big Cottonwood Canyon that had been inaccessible in recent years, has reopened to the public — the result of Salt Lake City's effort to protect its drinking-water sources by purchasing land in the city's watershed.

The city purchased the Donut Falls land, about 9 1/2 miles up the canyon, for $1.3 million.

"It's a great addition," deputy Public Utilities director Jeff Niermeyer said. "We're glad to get it for watershed protection. We're really happy to have what's kind of been a community treasure back and the ability of the community to enjoy it without stepping over 'No trespassing' signs."

The site — where spring water falls through eroded rock on its way downhill toward Big Cottonwood Creek, accessible by a mild 3/4-mile hike — has been off limits to the public because the previous owner, a private development company, feared liability for accidents.

Now, the falls, and about 144 acres surrounding it, are owned by the city, even though it is not within city limits. Salt Lake City's water system owns more than 24,000 acres of land throughout its watershed in the Wasatch Mountains. Ownership allows the city to prevent development and protect the water quality.

The watershed buy-ups have been a major part of the city's water-management plan since a 1986 master plan called for the creation of a fund for that purpose. But the city has been buying land in its watershed since the late 1800s.

Donut Falls
Elevation: **7,800 ft.**
Distance from parking: **3/4 mile**
Elevation gain from parking: **320 ft.**
Hiking time to falls: **30-45 minutes**

Deseret Morning News graphic

In his State of the City speech Tuesday, Mayor Rocky Anderson called Donut Falls "a critical watershed area and a beautiful hiking destination that has been closed to the public in recent years. Securing vital watershed lands like Donut Falls will help ensure the continued integrity and purity of our water supply."

Donut Falls has long been a popular destination for families looking for a moderate hike on a warm day.

The turn-off to the falls is about 9 1/2 miles up the canyon, on the south side of the road, clearly identified by a sign. After the turnoff, the short drive to the parking lot includes a dusty unpaved section but is accessible to most vehicles.

The hike is at its steepest near the beginning. The trail winds through woods and meadows and ends at the falls, where children as young as 5 can wade through shallow waters, while the older kids and grown-ups can tread into a deeper run-off pool or the reservoir below.

But while the area is considering a fairly safe hike, it carries a certain risk. A 33-year-old man was killed in 1990 when he fell through the donut-shaped hole in the rock on a visit with an LDS Church singles group.

Niermeyer said the city will now take on some liability, but as a governmental entity its liability is limited.

"Anytime you own ground there's liability," he said. "There are protections within the law that basically, as long as you leave natural areas natural," recreation is at the visitor's own risk. "There's inherent risks going into the mountains, and I think a lot of us recognize that."

Because the site is an important part of the city's watershed, dogs, horses and other pets are not allowed.

And Niermeyer said the city's ownership doesn't mean visitors should expect to see it turn into a park or other additions added.

"That's the attraction of it," he said. "It's a natural area in the mountains with a pretty waterfall going through a hole."

However, the city will likely work out a deal with the U.S. Forest Service to care for the area through its backcountry management work.

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deseretnews.com

Deseret Morning News, Friday, January 19, 2007

House OKs Water Week for early May

By Joe Bauman
Deseret Morning News

A state Water Week came closer to reality Thursday when the Utah House of Representatives approved a measure dedicating the first full week in May for the observance.

The House unanimously passed HB20, sponsored by House Minority Leader Ralph Becker, R-Salt Lake. A Senate committee is to discuss the matter today.

During a press conference at City Creek Park, Becker noted that when Salt Lake Valley was settled, the idea was to make the desert bloom.

"We are in changing times," he said. "We certainly want to continue with that notion." But a great deal has been learned in the past 150 years, he said, and Utahns know "we really need to be careful with our use of water if we're going to take advantage of that resource for the future."

Change that should come includes "the way we landscape," he said. "It means the way different water districts, public and private, work together. And it means being able to be as efficient as we can on the use of water for a whole variety of reasons."

Among the reasons, Becker added, is economics.

Financing for Utah observances about water will come from a $250,000 grant awarded by the Partnership for a Nation of Learners, said Lisa Cohne. The grant, established by the Corporation for Public Broadcasting and the Institute for Museum and Library Services, will be administered through the Water Wise Utah Partnership.

Sixty-eight entities applied for grants and 13 were given. "It's a pretty prestigious award that we're very proud of," said Lisa Cohne, project manager for the grant.

Over the grant's two-year lifetime, it will be used to bring information to the state as well as five target cities: Salt Lake City, South Jordan, Draper, Ogden and St. George. Water-related programming will be sponsored on public television and radio, and a Water Wise Utah Web site will be set up as "a clearing house for as many water issues and water-related topics as possible," she said.

Cohne added that an exhibit at the Utah Museum of Natural History, on the University of Utah campus, will explore water issues tied to the state public school curriculum.

"Water is to a community what blood is to the body," she said. "Water is the lifeblood of our state. Utah Water Week and the Water Wise Utah project will play a crucial role in Utah's future."

Jennie Hoover, water conservation coordinator with the Utah Division of Water Resources, said over the past several years "there's been a big push for water conservation" in the state. Conservation efforts have dropped per-capita use, she said.

About 60 percent of home water use is outdoors, mostly for watering yards. "Half of our increasing demand can be met through conservation, which is a lot cheaper than developing new sources of water," Hoover said.

"We can all make some efforts to conserve, change bad water habits and save quite a bit of water, simply through conservation."

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HJR1

Snake Valley water resolution endorsed

Article Last Updated:01/18/2007 12:57:26 AM MST

The House Natural Resources, Agriculture and Environment Committee on Wednesday made water its first order of business. Namely, it unanimously endorsed a resolution calling on Gov. Jon Huntsman Jr. to heed west desert residents' wishes and wait for the best available science before signingÂ an agreement with Nevada over how to share groundwater resources along the state line in the Snake ValleyÂ. The resolution's author, Rep. Richard Wheeler, R-EphraimÂ, concedes the unanimous vote lacks any real teeth. But he hopes it resonates as the state's negotiations with Nevada go forward - both in the governor's office and in Nevada. "These are life and death decisions for those residents," Wheeler said. Next step: Debate in the full House. - *Joe Baird*

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Water, shorelines master plan

County wants more say on new Utah Lake panel

All three commissioners want seats; county to pay a big part of tab

By Todd Hollingshead
The Salt Lake Tribune
Salt Lake Tribune

Article Last Updated:01/17/2007 12:26:53 AM MST

PROVO - Utah County commissioners are holding off on joining the Utah Lake Commission, but not because they don't support it.

Rather, they all want to jump into the lake panel.

Commissioners said Tuesday they want not one, but all three county commissioners on the committee. The current agreement calls for only Commissioner Larry Ellertson to represent the county.

"If a city is involved, they'll have their mayor, their executive guy," Commissioner Gary Anderson said. "Our executive guy is three guys. The nature of our government dictates that we have three."

Commission Chairman Steve White plans to take the suggested change to other prospective member agencies and cities this week.

Provo Mayor Lewis Billings, who has headed up the Utah Lake study committee, said the Utah County commissioners' comments Tuesday came as a surprise.

"We've had months and months of dialogue . . . this is something that has never been raised," Billings said. "I think it gives them the potential of appearing to some to have a disproportionate voice."

The Utah Lake Commission will comprise voting members from Utah County, the Central Utah Water Conservancy District, the Legislature, state environmental and natural resource departments and nine Utah County cities and towns.

A bill authorizing three state divisions to join the lake panel will go before the Legislature this session, while prospective member cities weigh the agreement.

Like the Bear Lake Commission, the Utah Lake Commission aims to encourage and promote use of the lake while preserving the natural resource.

A Utah Lake study committee proposed a budget of $300,000 to get the commission off the ground.

The state is being asked to come up with 35 percent of that budget, or $105,000, and the Central Utah Water Conservancy District is pegged for 15 percent, $45,000.

The other 50 percent will come from the nine cities and towns and Utah County, with the county shouldering the biggest chunk at $42,100.

White backed the idea of more county representation since the county will be on the financial hook again when lake projects start rolling.

"When it comes to funding, it takes two [commissioner] votes to fund something," White said. "And if only one person has been a part of the process, the other two could say, 'I don't think so.' We've had that happen before."

A major goal is to develop a master plan for the lake and shorelines, said Utah County Public Works Director Clyde Naylor, who helped draft the documents for the panel with a team of lawyers.

"It seems that each member [organization] should have one voting member," he said.

But commissioners noted the state will have three members - one from each division that joins - so the county should, too, given its level of involvement.

Organizers hope the commission is running by July 1.

toddh@sltrib.com

All aboard

The following cities and agencies will share the $300,000 start-up costs for the proposed Utah Lake Commission:

* **American Fork:** $8,461
* **Genola:** $5,115
* **Lehi:** $11,250
* **Lindon:** $4,327
* **Orem:** $20,036
* **Provo:** $33,266
* **Saratoga Springs:** $11,933
* **Springville:** $9,443
* **Vineyard:** $4,064
* **Utah County:** $42,100
* **Central Utah Water Conservancy District:** $45,000
* **State:** $105,000

deseretnews.com

Deseret Morning News, Wednesday, January 17, 2007

Snowpack is looking a bit skimpy

By Joe Bauman
Deseret Morning News

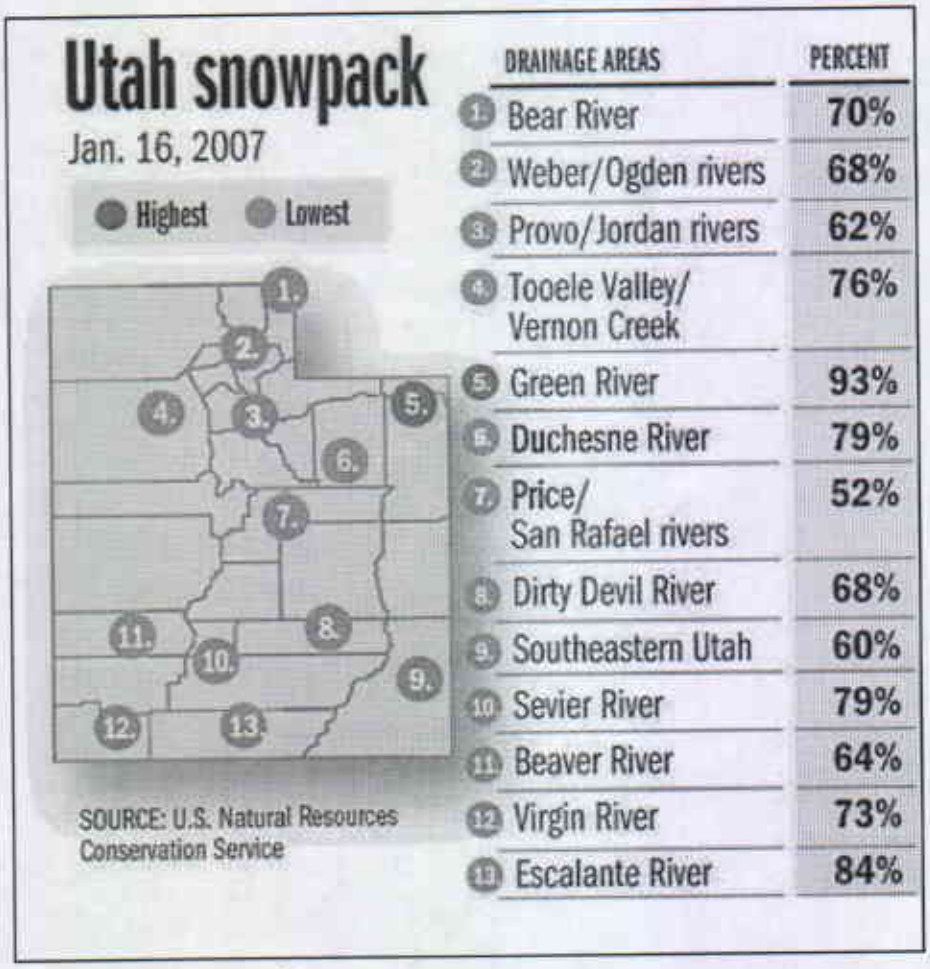
After two years of good winter snowpacks, Utah may be facing a relatively skimpy runoff this spring, agreed experts at a briefing Tuesday.

Also, one of the experts pointed out that as far as snow levels are concerned, Utah has experienced no evidence of global warming. If global warming does hit here, he said, nobody knows whether that would be good or bad for the state's water supply.

Of 13 snow basins throughout the state monitored by the U.S. Natural Resources Conservation Service, none had the average snow coverage for Jan. 16. Water content of the fields ranged from a low of 52 percent of normal at the Price-San Rafael river station to 93 percent for the Green River.

"The whole state looks about 70 to 80 percent" of normal for this time of year, Randy Julander, snow surveyor for the National Weather Service's Salt Lake City office, said Tuesday at the meeting of the Utah Water Users Association in the service's offices, 2242 W. North Temple.

Utah has "not a lot of good news as far as the snowpack is concerned," he said. Some areas, like the Uinta Basin, "really took a dive" after the season started.



Deseret Morning News graphic

"Bear Lake hasn't really come back to anything like a normal situation," he said. The lake dropped during six drought years before the past couple of years of good runoff.

In an interview following the meeting, Julander explained, "It's not nearly as good as it was last year. But we're not in a complete state of panic yet.

"That'll come next month," he joked.

With 2 1/2 months of winter snow accumulation still to come, he said, the state's winter and spring weather

still could go either to a wet or dry system. It's still possible that a good runoff may occur.

"The level of concern is certainly starting to increase, and we don't see anything coming on next week, weather-wise. Looks cold and dry."

Brian McInerney, hydrologist with the National Weather Service, said, "Things are just looking tough. ... We do not have the snowpack at this point" that water experts would like.

"It's unfortunate. We've had two years of water supply meetings where everybody's been a happy guy," but now things are looking gloomier, he said.

A silver lining is that the state's large reservoirs seem generally to have good storage. "We're really sitting kind of good," said Ed Vidmar of the U.S. Bureau of Reclamation.

A member of the group asked Julander about global warming. "I hate to be the heretic" in the group, he said.

"We (in Utah) will probably be the last ones to see the impacts of global warming in our snowpack. ... We cannot prove at this time if we are getting any more snow or any less snow."

Several factors influence the snow depth at any monitored site. If the natural succession of plants happens and meadows change to forests, that will drastically reduce the amount of snow measured at the site. Also, winter cloud seeding could have an effect at a particular spot.

When these factors are subtracted from any change, he said, there is no difference in snow levels decade after decade. Some sites were established in the 1930s to host snow measurement projects.

"The wild card in this whole global warming is precipitation," Julander added. If global warming leads to warm and wet conditions, that could be great for Utah's water supply. If it is warm and dry, that would be bad.

Julander added, "I don't know of any study that would tell us what would happen with precipitation" over the next 40 years.

E-mail: bau@desnews.com

AGENDA ITEM 15

LETTERS

State of Utah

Department of Environmental Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF DRINKING WATER
Kenneth H. Bousfield, P.E.
Acting Director

Drinking Water Board
Anne Erickson, Ed.D., *Chair*
Myron Bateman, *Vice-Chair*
Ken Bassett
Daniel Fleming
Jay Franson, P.E.
Helen Graber, Ph.D.
Paul Hansen, P.E.
Laurie McNeill, Ph.D.
Dianne R. Nielson, Ph.D.
Petra Rust
Ron Thompson
Kenneth H. Bousfield, P.E.
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

February 1, 2007

The Honorable Carlene Walker, Senator
District 8
W115 Capitol Complex
Salt Lake City, Utah 84114

The Honorable Wayne Harper, Representative
District 43
W030 Capitol Complex
Salt Lake City, Utah 84114

Dear Senator Walker and Representative Harper:

Subject: Proposed Budget Cut, Department of Environmental Quality

We, the Drinking Water Board, write this letter regarding our charge as outlined by State Statute (see Utah Code 19-4) to ensure a safe and reliable supply of drinking water for the citizens of Utah. Specifically, we express our concerns regarding discussions occurring in your Legislative Appropriations Committee with regard to cutting the budget of the Department of Environmental Quality (DEQ). We offer the following specific concerns.

1. Under Section 19-4-104(i) of the Utah Code, we have the responsibility to "meet the requirements of federal law relating or pertaining to drinking water". In order to meet this responsibility, we are charged with the assignment of implementing the federal drinking water standards in our State. State implementation of federal rules is referred to as "Primacy." Further, under the federal Safe Drinking Water Act, the State is required to implement all of the federal rules or we would not be eligible for primacy. [See: The Federal Safe Drinking Water Act of August 1996, Section 1413, State Primary Enforcement Responsibility (a) (1).] When DEQ's budget is cut, the ability of the Division and the Board to implement all of the federal rules is seriously hampered. Cutting DEQ's budget, with its attendant cuts in staff and other vital functions, could seriously jeopardize our ability to maintain primacy. Losing primacy would result in: a) the

loss of federal construction loan funds, b) the loss of local control of the drinking water program as EPA would take this over and c) the lost loan funds would be used by EPA to hire contractors to implement the Federal Safe Drinking Water Act rather than be used for loans to improve and expand needy water districts in Utah

2. Since 2002, DEQ has had to deal with budget cuts in the amount of $6.2 million. The Division of Drinking Water has shared in those cuts that have seriously hampered the Board's ability to discharge its responsibilities to provide a safe and reliable supply of water to the citizen's of the State of Utah. Further cuts could render us unable to fulfill our charge as stated in the Safe Drinking Water Act.

3. The portion of DEQ's budget that funds the Division of Drinking Water is composed of 65% from federal sources and 35% from State sources. When the State Legislature authorizes salary increases for state employees, they appropriate funding for only the State portion of the budget. This means that 65% of the approved salary increase is not funded. With the salary increase approved last year and the anticipated increase this year, there was and will be an enforced budget cut to accommodate the increase.

4. The Drinking Water Board has observed that it is extremely difficult to find qualified engineers to evaluate treatment processes and delivery capabilities to ensure a safe and reliable supply of water to the citizen's of Utah. This has manifest itself in two different ways: a) existing staff are finding higher paying jobs in the private sector and leaving the Division, and b) a very limited number of potential replacement engineers are willing to accept the assignment and salary offered by the Division of Drinking Water. Cutting DEQ's budget will further hamper this very serious situation.

In conclusion, for the four compelling reasons cited above, we urge you to reconsider your position on cutting the budget of the Department of Environmental Quality.

Sincerely,

Anne N. Erickson, Ed.D, Chair
Drinking Water Board

cc: Lyle Hillyard, Senator
Ron Bigelow, Representative
John Valentine, President of the Senate
Greg Curtis, Speaker of the House
The Honorable Jon M. Huntsman, Governor

State of Utah

Department of
Environmental Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF DRINKING WATER
Kenneth H. Bousfield, P.E.
Acting Director

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

February 1, 2007

Fred G. Nelson
Attorney General's Office
P.O. Box 140873
Salt Lake City, Utah 84114-0873

Dear Mr. Nelson:

Subject: State Authority to Establish and Operate a Drinking Water Fund Program

We are in the process of preparing the capitalization grant application for the Drinking Water Board SRF Appropriation Program for FY 2007. With each capitalization grant application, the State Attorney General (AG), or someone designated by the AG, must sign a certificate of authority establishing the DWSRF program, the powers are consistent with State law, and the State may legally bind itself to the terms of the capitalization grant agreement. The AG must also provide written assurance that the DWSRF program will be administered instrumentally by the State that is authorized to: (1) enter into a capitalization grant agreement with EPA, (2) accept capitalization grant awards made under section 1452(a)(1)(A) of the SDWA, and (3) manage the fund in accordance with the requirements and objectives of the SDWA.

A copy of your opinion letter dated April 15, 2004, faxed to us on May 15, 2006 is attached. If you have any questions, please call me at (801) 536-4207.

Sincerely,

Kenneth H. Bousfield, P.E.
Acting Director

SP
Attachment

F:\SRF\Application & IUP\2007\Req to the AG for certification lttr.doc

STATE OF UTAH

OFFICE OF THE ATTORNEY GENERAL

MARK L. SHURTLEFF
ATTORNEY GENERAL

RAY HINTZE
Chief Deputy - Civil

KIRK TORGENSEN
Chief Deputy - Criminal

April 15, 2004

Kevin Brown, Director
Division of Drinking Water
150 N 1950 West
P. O. Box 144830
Salt Lake City, Utah 84414-4830

Re: Adequacy of State Law Enabling Utah to be Eligible for federal Safe Drinking Water Act, 42 U.S.C. 300f et seq. capitalization grants.

Dear Kevin:

This letter is in response to your request dated April 8, 2004, for an updated opinion concerning state authority to establish and operate a Drinking Water State Revolving Fund program as prescribed under the federal Safe Drinking Water Act, 42 U.S.C.A. 300f et seq. There have been no changes which affect the opinion issued in 2003.

The Utah Legislature has enacted Utah Code Annotated §§ 19-4-101 et seq. which established the Utah Safe Drinking Water Board. Utah Code Annotated 19-4-104 empowers the Board with rulemaking authority to meet the requirements of federal law governing drinking water. Utah Code Annotated §§ 19-1-105 establishes the Division of Drinking Water which is tasked with the responsibility to administer UCA § 19-4-101 et seq.

In 1983, the Utah Legislature established a restricted account within the General Fund known as the Water Development Security Account (Utah Code Ann. § 73-10c-5). The fund was created for the purpose of supporting drinking water projects and wastewater projects in accordance with the terms of credit enhancement agreements. In 1985, the Legislature amended the Water Development Security Account, to provide for use of monies in the account to make loans for drinking water and wastewater projects (Laws of Utah 1985, ch. 123). Therefore, pursuant to that amendment, two accounts exist with the Security Account: one for wastewater projects and one for drinking water projects. In 1997, Senate Bill 75 was passed which established a State Revolving Fund for Drinking Water Projects subaccount, as a subaccount in the Drinking Water Security account, which consists of money appropriated to the subaccount by the Legislature, money received to meet match requirements, money received from repayment of loans made from the State Revolving Fund subaccount, money received under the federal Safe Drinking Water Act, investment income derived from money in

160 East 300 South, 5th Floor, P.O. Box 140873, Salt Lake City, Utah 84114-0873

the State Revolving Fund Account, and money deposited under any other law (Utah Code Ann. § 73-10c-5(3)). The money received under the federal Safe Drinking Water Act is subject to the restrictions of that Act and is eligible for use in state revolving loan funds which meet the requirements of the Act (Utah Code Ann. § 73-10c-5). In 2001, the Legislature substituted the language "an enterprise fund" for "a restricted account within the General Fund" and substituted "security fund" for "security account" throughout the statute. No changes were made to the conditions or restrictions established for the security fund.

The Utah Drinking Water Board has promulgated rules for making loans incorporating the requirements of the federal Safe Drinking Water Act at Utah Admin. Code R309-705. Additionally, the Board is authorized by Utah Code Ann. § 19-4-104(1)(a)(v) and § 19-4-104(2) to promulgate rules for certification of operators and governing capacity development in compliance with Sections 1419 and 1420 of the federal Safe Drinking Water Act.

This office certifies that the capitalization grant application and operating agreement submitted to the Federal Environmental Protection Agency for Drinking Water State Revolving Fund capitalization grants are consistent with state law and that the Utah Drinking Water Board and the Utah Division of Drinking Water are authorized to bind itself to the terms of the capitalization grant agreement. As described above, the Utah Drinking Water Board and Utah Division of Drinking Water are instrumentalities of the State that are authorized to enter into capitalization grant agreements with the EPA, accept capitalization grant awards made under the federal Safe Drinking Water Act, and otherwise manage the funds in accordance with the requirements and the objectives of the Safe Drinking Water Act.

Sincerely,

MARK L. SHURTLEFF
Attorney General

By: Fred G Nelson
FRED G NELSON
Assistant Attorney General
Chief, Environment Division
Counsel to Utah Drinking Water Board and
Utah Division of Drinking Water